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Rules and Regulations

Title 21—FOOD AND DRUGS

Chapter I—Food and Drug Administration, Department of Health, Education, and Welfare

SUBCHAPTER D—HAZARDOUS SUBSTANCES

PART 191—HAZARDOUS SUBSTANCES: DEFINITIONS AND PROCEDURAL AND INTERPRETATIVE REGULATIONS

Eye Irritants

The Commissioner of Food and Drugs has considered all comments and suggestions submitted in response to the notice of proposed rulemaking published in the FEDERAL REGISTER of June 6, 1963 (28 F.R. 5582), with reference to revising the regulations to clarify the definition and test methods for "eye irritants." Some of the comments are rejected in part, and some are accepted in part as is indicated by the amendments hereinafter set forth.

Therefore, as provided in the Hazardous Substances Labeling Act (sec. 10, 74 Stat. 378; 15 U.S.C. 1269), and pursuant to the authority delegated to the Commissioner by the Secretary of Health, Education, and Welfare (21 CFR 2.90; 29 F.R. 471), the following amendments are ordered:

1. Section 191.1(g)(3) is revised to read:

§ 191.1 **Definitions.**

* * * * *

(g) *Irritants.* * * *

(3) *Eye irritants.* A substance is an irritant to the eye if the available data on human experience indicate that it is an irritant to the eye, or if a positive test result is obtained when the substance is tested by the method described in § 191.12.

* * * * *

2. Section 191.12 is amended to read:

§ 191.12 **Test for eye irritants.**

(a)(1) Six albino rabbits are used for each test substance. Animal facilities for such procedures shall be so designed and maintained as to exclude sawdust, wood chips, or other extraneous materials that might produce eye irritation. Both eyes of each animal in the test group shall be examined before testing, and only those animals without eye defects or irritation shall be used. The animal is held firmly but gently until quiet. The test material is placed in one eye of each animal by gently pulling the lower lid away from the eyeball to form a cup into which the test substance is dropped. The lids are then gently held together for one second and the animal is released. The other eye, remaining untreated, serves as a control. For testing liquids, 0.1 milliliter is used. For solids or pastes, 100 milligrams of the test substance is used, except that for substances in flake, granule, powder, or other particulate form the amount that has a volume of 0.1 milliliter (after compacting as much as possible without crushing or altering the individual particles, such as by tapping the measuring container) shall be used whenever this volume weighs less than 100 milligrams. In such a case, the weight of the 0.1 milliliter test dose should be recorded. The eyes are not washed following instillation of test material except as noted below.

(2) The eyes are examined and the grade of ocular reaction is recorded at 24, 48, and 72 hours. Reading of reactions is facilitated by use of a binocular loupe, hand slit-lamp, or other expert means. After the recording of observations at 24 hours, any or all eyes may be further examined after applying fluorescein. For this optional test, one drop of fluorescein sodium ophthalmic solution U.S.P. or equivalent is dropped directly on the cornea. After flushing out the excess fluorescein with sodium chloride solution U.S.P. or equivalent, injured areas of the cornea appear yellow; this is best visualized in a darkened room under ultraviolet illumination. Any or all eyes may be washed with sodium chloride solution U.S.P. or equivalent after the 24-hour reading.

(b)(1) An animal shall be considered as exhibiting a positive reaction if the test substance produces at any of the readings ulceration of the cornea (other than a fine stippling), or opacity of the cornea (other than a slight dulling of the normal luster), or inflammation of the iris (other than a slight deepening of the folds (or rugae) or a slight circumcorneal injection of the blood vessels), or if such substance produces in the conjunctivae (excluding the cornea and iris) an obvious swelling with partial eversion of the lids or a diffuse crimson-red with individual vessels not easily discernible.

(2) The test shall be considered positive if four or more of the animals in the test group exhibit a positive reaction. If only one animal exhibits a positive reaction, the test shall be regarded as negative. If two or three animals exhibit a positive reaction, the test is repeated using a different group of six animals. The second test shall be considered positive if three or more of the animals exhibit a positive reaction. If only one or two animals in the second test exhibit a positive reaction, the test shall be repeated with a different group of six animals. Should a third test be needed, the substance will be regarded as an irritant if any animal exhibits a positive response.

(c) To assist testing laboratories and other interested persons in interpreting the results obtained when a substance is tested in accordance with the method described in paragraph (a) of this section, an "Illustrated Guide for Grading Eye Irritation by Hazardous Substances" will be sold by the Superintendent of Documents, Government Printing Office, Washington, D.C. The guide will contain color plates depicting responses of varying intensity to specific test solutions. The grade of response and the substance used to produce the response will be indicated.

Effective date. This order shall become effective 30 days from the date of its publication in the FEDERAL REGISTER.

(Sec. 10, 74 Stat. 378; 15 U.S.C. 1269)

Dated: September 10, 1964.

GEO. P. LARRICK,
Commissioner of Food and Drugs.

[F.R. Doc. 64-9424; Filed, Sept. 16, 1964; 8:47 a.m.]

Title 14—AERONAUTICS AND SPACE

Chapter I—Federal Aviation Agency

[Airspace Docket No. 64-WA-60]

PART 71—DESIGNATION OF FEDERAL AIRWAYS, CONTROLLED AIRSPACE, AND REPORTING POINTS [NEW]

Alteration of Federal Airway

VOR Federal airway Nos. 51 and 157 are designated in part from the Harvey Intersection to Key West, Fla. Victor 51 excludes the airspace within Warning area W-173. No provision is made in Victor 157 for this exclusion.

The purpose of this amendment to Part 71 [New] of the Federal Aviation Regulations is to alter the description to Victor 157 to exclude the airspace within W-173. This would provide a uniform description for those segments of Victor 51 and 157 which coincide between Harvey Intersection and Key West.

Since this action is editorial in nature and imposes no additional burden on any person, notice and public procedure hereon are unnecessary and it may be made effective immediately.

Since this action involves alteration of airspace outside of the United States, the Administrator has consulted with the Secretary of State and the Secretary of Defense in accordance with the provisions of Executive Order 10854.

In consideration of the foregoing, Part 71 [New] of the Federal Aviation Regulations is amended, effective immediately, as hereinafter set forth.

Section 71.123 (29 F.R. 1009, 9529, 9821, 11707, 11837) is amended as follows:

In V-157 "The airspace within W-173 is excluded." is added.

This amendment is made under the authority of sections. 307(a) and 1110 of the Federal Aviation Act of 1958 (49 U.S.C. 1348(a) and 1510) and Executive Order 10854 (24 F.R. 9565).

Issued in Washington, D.C., on September 9, 1964.

DANIEL E. BARROW,
Chief, Airspace Regulations and Procedures Division.

[F.R. Doc. 64-9408; Filed, Sept. 16, 1964; 8:45 a.m.]

SUBCHAPTER F—AIR TRAFFIC AND GENERAL OPERATING RULES [NEW]

[Reg. Docket No. 6160; Amdt. 391]

PART 97—STANDARD INSTRUMENT APPROACH PROCEDURES [NEW]

Miscellaneous Amendments

The amendments to the standard instrument approach procedures contained herein are adopted to become effective when indicated in order to promote safety. The amended procedures supersede the existing procedures of the same classification now in effect for the airports specified therein. For the convenience of the users, the complete procedure is republished in this amendment indicating the changes to the existing procedures.

As a situation exists which demands immediate action in the interests of safety in air commerce, I find that compliance with the notice and procedure provisions of the Administrative Procedure Act is impracticable and that good cause exists for making this amendment effective within less than 30 days from publication.

In view of the foregoing and pursuant to the authority delegated to me by the Administrator (24 F.R. 5662), Part 97 [New] (14 CFR Part 97 [New]) is amended as follows:

1. By amending the following low or medium frequency range procedures prescribed in § 97.11(a) to read:

LFR STANDARD INSTRUMENT APPROACH PROCEDURE

Bearings, headings, courses and radials are magnetic. Elevations and altitudes are in feet MSL. Ceilings are in feet above airport elevation. Distances are in nautical miles unless otherwise indicated, except visibilities which are in statute miles.

If an instrument approach procedure of the above type is conducted at the below named airport, it shall be in accordance with the following instrument approach procedure, unless an approach is conducted in accordance with a different procedure for such airport authorized by the Administrator of the Federal Aviation Agency. Initial approaches shall be made over specified routes. Minimum altitudes shall correspond with those established for en route operation in the particular area or as set forth below.

Transition				Ceiling and visibility minimums			
From—	To—	Course and distance	Minimum altitude (feet)	Condition	2-engine or less		More than 2-engine, more than 65 knots
					65 knots or less	More than 65 knots	
Ancon VHF Int	Gustavus LFR	Direct	2700	T-dn*	300–1	300–1	200–½
				T-dn-1*	700–2	700–2	700–2
				C-dn#	400–1	500–1	500–1½
				S-dn-10#	400–1	400–1	400–1
				A-dn	800–2	800–2	800–2

Shuttle descent to 3600′ in 1-minute holding pattern, right turns, 286° Outbnd, 106° Inbnd. Shuttle descent below 3600′ not authorized, procedure turn required.
Procedure turn W side of crs, 286° Outbnd, 106° Inbnd, 2700′ within 10 miles. Beyond 10 miles not authorized.
Minimum altitude over facility on final approach crs, #1600′.
Crs and distance, facility to airport, 106°—2.3 miles.
If visual contact not established upon descent to authorized landing minimums or if landing not accomplished within 2.3 miles after passing GST LFR, climb to 4500′ on SE crs GST LFR within 20 miles, or when directed by ATC, turn right, climb to 3000′ on NW crs GST LFR within 10 miles.
*Turn right after takeoff.
#Descent to 800′ authorized after passing GAV RBn. Maneuvering N through E of airport not authorized, terrain to 3000′ 4.8 miles NE of airport, 4000′ 6.1 miles NE of approach crs and 8.7 miles NW LFR. Mountainous terrain all quadrants.
MSA within 25 miles of facility: 000°–090°—7300′; 090°–180°—5900′; 180°–270°—6500′; 270°–360°—8000′.

City, Gustavus; State, Alaska; Airport Name, Gustavus; Elev., 36′; Fac. Class., SBRAZ; Ident., GST; Procedure No. 1, Amdt. 10; Eff. Date, 19 Sept. 64; Sup. Amdt. No. 9; Dated, 25 Apr. 64

2. By amending the following automatic direction finding procedures prescribed in § 97.11(b) to read:

ADF STANDARD INSTRUMENT APPROACH PROCEDURE

Bearings, headings, courses and radials are magnetic. Elevations and altitudes are in feet MSL. Ceilings are in feet above airport elevation. Distances are in nautical miles unless otherwise indicated, except visibilities which are in statute miles.

If an instrument approach procedure of the above type is conducted at the below named airport, it shall be in accordance with the following instrument approach procedure, unless an approach is conducted in accordance with a different procedure for such airport authorized by the Administrator of the Federal Aviation Agency. Initial approaches shall be made over specified routes. Minimum altitudes shall correspond with those established for en route operation in the particular area or as set forth below.

Transition				Ceiling and visibility minimums			
From—	To—	Course and distance	Minimum altitude (feet)	Condition	2-engine or less		More than 2-engine, more than 65 knots
					65 knots or less	More than 65 knots	
Weaverville Int	ABN RBn	Direct	6000	T-dn*	800–1	800–1	800–1
Asheville VOR	ABN RBn	Direct	6000	C-dn**	1500–2	1500–2	1500–2
Broad River RBn	ABN RBn	Direct	6000	C-n	NA	NA	NA
Owen Int	ABN RBn	Direct	6000	S-dn-16	1200–1	1200–1	1200–1
				A-d	1500–2	1500–2	1500–2
				A-n	NA	NA	NA

Procedure turn E side of crs, 340° Outbnd, 160° Inbnd, 5500′ within 10 miles.
Minimum altitude over facility on final approach crs, 4200′.
Crs and distance, facility to airport, 160°—5.8 miles.
If visual contact not established upon descent to authorized landing minimums or if landing not accomplished within 5.8 miles after passing ABN RBn, climb to 5500′ on crs of 162° to Broad River RBn. Hold SE, 1-minute right turns.
IFR Departure Procedures: Takeoffs to the N will climb on crs 340° to ABN RBn and continue climb, if necessary, in holding pattern S of ABN RBn (right turns, 1 minute) to 5000′ or higher as directed by ATC, before returning to BRA RBn or continuing climb on crs or, when directed by ATC, climb on crs 342° from BRA RBn to 8000′ within 20 miles. Takeoffs to the S will climb on crs 162° over the OM and continue on crs 162° to Broad River RBn. Upon reaching 5000′ or higher as directed by ATC, continue climb on crs.
**CAUTION: Terrain rises rapidly 2.0 miles W of airport. All maneuvering for circling approach must be accomplished E of airport. Abrupt changes in terrain adjacent to procedure areas. During periods of thunderstorm activity, station passage (ABN RBn) will be additionally identified as passing the AVL VOR R–297.
Final approach from holding pattern not authorized. Procedure turn required.

City, Asheville; State, N.C.; Airport Name, Asheville Municipal; Elev., 2161′; Fac. Class., MHW; Ident., ABN; Procedure No. 2, Amdt. 3; Eff. Date, 19 Sept. 64; Sup. Amdt. No. 2; Dated, 22 Feb. 64

ADF STANDARD INSTRUMENT APPROACH PROCEDURE—Continued

Transition				Ceiling and visibility minimums			
From—	To—	Course and distance	Minimum altitude (feet)	Condition	2-engine or less		More than 2-engine, more than 65 knots
					65 knots or less	More than 65 knots	
FAY VOR	FAY RBn	Direct	1700	T-dn	300–1	300–1	200–½
				C-dn	400–1	500–1	500–1½
				S-dn-3	400–1	400–1	400–1
				A-dn	800–2	800–2	800–2

Radar terminal area transition altitude: 2500′ within 15-mile radius of Grannis Field.
Procedure turn S side of crs, 212° Outbnd, 032° Inbnd, 1700′ within 10 miles.
Minimum altitude over facility on final approach crs, 1300′.
Crs and distance, facility to airport, 032°—3.8 miles.
If visual contact not established upon descent to authorized landing minimums or if landing not accomplished within 3.8 miles after passing FAY RBn, make right turn, intercepting 080° crs from FAY RBn, climbing to 1700′ within 15 miles or, when directed by ATC, turn right, climb to 1700′ on R–090 of FAY VOR within 15 miles.
MSA within 25 miles of facility: 000°–360°—1500′.

City, Fayetteville; State, N.C.; AirportName, Grannis Field; Elev., 189′; Fac. Class., MHW; Ident., FAY; Procedure No. 1, Amdt. 4; Eff. Date, 19 Sept. 64; Sup. Amdt. No. 3; Dated, 4 Feb. 61

Findlay VOR	Findlay RBn	Direct	2500	T-dn	300–1	300–1	200–½
Lima VOR	Mount Cory Int*	Direct	2500	C-dn	800–1	800–1	800–1¼
Mount Cory Int*	Findlay RBn (final)	Direct	1600	A-dn	800–2	800–2	800–2

Procedure turn N side of crs, 250° Outbnd, 070° Inbnd, 2500′ within 10 miles.
Minimum altitude over facility on final approach crs, 1600′.
Facility on airport.
If visual contact not established upon descent to authorized landing minimums of if landing not accomplished within 0.0 mile of Findlay RBn, make a climbing right turn to 2500′. Hold S Findlay RBn 1-minute right turns 360° Inbnd at 2500′.
CAUTION: Radio tower 1080′ 1.5 miles ESE of airport. Radio tower 1150′ 5 miles N of airport.
*Mount Cory Int: 250° bearing from FDY RBn and FDY R–301 or LIA R–025.

City, Findlay; State, Ohio; Airport Name, Findlay; Elev., 812′; Fac. Class., BMH; Ident., FDY; Procedure No. 2, Amdt. Orig.; Eff. Date, 19 Sept. 64

VIH VOR	TBN RBn	Direct	2700	T-dn	300–1	300–1	200–½
MAP VOR	TBN RBn	Direct	2800	C-dn	500–1	600–1½	600–1½
TBN VOR	TBN RBn	Direct	2400	S-dn-32	400–1	400–1	400–1
				A-dn	800–2	800–2	700–2

Procedure turn E side of crs, 140° Outbnd, 320° Inbnd, 2400′ within 10 miles.
Minimum altitude over facility on final approach crs, 1900′.
Crs and distance, facility to airport, 320°—2.8 miles.
If visual contact not established upon descent to authorized landing minimums or if landing not accomplished within 2.8 miles after passing TBN RBn, climb to 2400′ on the 320° bearing from TBN RBn within 10 miles, turn left and return to TBN RBn.
NOTES: 1. Procedure penetrates restricted area 4501–B. Do not proceed closer than 10 miles of Fort Leonard Wood unless contact has been established with Forney Tower.
2. Authorized for military use only except by prior arrangement.
MSA within 25 miles of facility: 000°–270°—2800′; 270°–360°—2400′.

City, Fort Leonard Wood; State, Mo.; Airport Name, Forney AAF; Elev., 1158′; Fac. Class., MH; Ident., TBN; Procedure No. 1, Amdt. 1; Eff. Date, 19 Sept. 64; Sup. Amdt. No. Orig.; Dated, 12 May 62

Keller Int	FTW RBn	Direct	2000	T-dn	300–1	300–1	*200–½
Justin Int	FTW RBn	Direct	2000	C-dn	600–1	600–1	600–1¼
Joshua Int	FTW RBn	Direct	2200	A-dn	800–2	800–2	800–2
Roanoke Int	FTW RBn	Direct	2000				

Radar vectoring may be used to position aircraft for final approach N of RBn with elimination of procedure turn.
Procedure turn E side of crs, 354° Outbnd, 174° Inbnd, 2000′ within 10 miles beyond 10 miles not authorized. (Nonstandard due to ATC requirements.)
Minimum altitude over facility on final approach crs, 1500′.
Crs and distance, facility to airport, 177°—2.1 miles.
If visual contact not established upon descent to authorized landing minimums or if landing not accomplished within 2.1 miles after passing FTW RBn, climb to 2000′ on on the 175° bearing from FTW RBn within 20 miles.
CAUTION: 956′ grain elevator 1.5 miles N and 990′ grain elevator 1.9 miles N of airport.
Other changes: Deletes air carrier note. Deletes note re Jos ıua Int to FTW RBn.
*300–1 required for takeoff runways 9–27 and 13–31.
MSA within 25 miles of the facility: 000°–090°—2300′; 090°–180°—3400′; 180°–270°—2500′; 270°–360°—2500′.

City, Fort Worth; State, Tex.; Airport Name, Meacham Field; Elev., 692′; Fac. Class., SABH; Ident., FTW; Procedure No. 1, Amdt. 1; Eff. Date, 19 Sept. 64; Sup. Amdt. No. Orig.; Dated, 18 Jan. 64

GSW VOR	Stadium Int	Direct	2700	T-dn	300–1	300–1	200–½
Justin Int	FTW RBn	Direct	2700	C-dn	500–1	600–1	600–1½
FTW RBn	Stadium Int	Direct	2700	S-dn-35	500–1	500–1	500–1
Joshua Int	Stadium Int (final)	EWX R–164 and FTW RBn 176° bearing.	2000	A-dn	800–2	800–2	800–2
Stadium Int#	Caddy Int## (final)	Direct	1400				

Radar vectoring may be used to position aircraft for final approach S of Stadium Int with elimination of procedure turn.
Procedure turn E side of crs, 176° Outbnd, 356° Inbnd, 2500′ within 10 miles of Stadium Int. Beyond 10 miles not authorized.
Minimum altitude over Stadium Int# on final approach crs, 2000′; over Caddy Int##, 1400′.
Crs and distance, Stadium Int# to airport, 356°—5.1 miles; Caddy Int## to airport, 356°—3.2 miles.
If visual contact not established upon descent to authorized landing minimums or if landing not accomplished within 3.2 miles after passing Caddy Int##, climb to 2000′ on crs 354° bearing from FTW RBn within 20 miles.
CAUTION: 956′ grain elevator 1.5 miles N, and 990′ grain elevator 1.9 miles N of airport.
Other changes: Deletes air carrier note.
*300–1 required for takeoff Runways 9–27 and 13–31.
#Stadium Int: Int of FTW RBn 176° bearing and GSW VOR R–242.
##Caddy Int: Int of FTW RBn 176° bearing and GSW VOR R–248.
MSA within 25 miles of the facility: 000–090°—2300′; 090°–180°—3400′; 180°–270°—2500′; 270°–360°—2500′.

City, Fort Worth; State, Tex.; Airport Name, Meacham Field; Elev., 692′; Fac. Class., SABH; Ident., FTW; Procedure No. 2, Amdt. 1; Eff. Date, 19 Sept. 64; Sup. Amdt. No. Orig.; Dated, 8 Aug. 64

ADF STANDARD INSTRUMENT APPROACH PROCEDURE—Continued

Transition				Ceiling and visibility minimums			
From—	To—	Course and distance	Minimum altitude (feet)	Condition	2-engine or less		More than 2-engine, more than 65 knots
					65 knots or less	More than 65 knots	
				T-dn	300-1	300-1	200-½
				T-dn-1*	700-2	700-2	700-2
				C-dn#	400-1	500-1	500-1¼
				S-dn-10#	400-1	400-1	400-1
				A-dn	800-2	800-2	800-2

Shuttle descent to 3600′ in 1-minute holding pattern, right turns, 286° Outbnd, 106° Inbnd. Shuttle descent below 3600′ not authorized, procedure turn required.
Procedure turn W side of crs, 286° Outbnd, 106° Inbnd, 2700′ within 10 miles. Beyond 10 miles not authorized.
Minimum altitude over GAV RBn on final approach 1100′; over GST LFR 800′.
Crs and distance, facility to airport, 106°—3.9 miles.
If visual contact not established upon descent to authorized landing minimums or if landing not accomplished within 3.9 miles after passing GAV RBn, climb to 4500′ on 106° bearing GAV RBn within 20 miles, or when directed by ATC, within 3.9 miles after passing GAV RBn, turn right, climb to 3000′ on NW crs GST LFR within 10 miles.
*Turn right after takeoff.
#Maneuvering N through E of airport not authorized, terrain to 3000′ 4.8 miles NE of airport, 4000′ 6.1 miles NE of approach crs, and 8.7 miles NW LFR. Mountainous terrain all quadrants.
MSA within 25 miles of facility: 000°–090°—7300′; 090°–180°—5900′; 180°–270°—6500′; 270°–360°—8000′.

City, Gustavus; State, Alaska; Airport Name, Gustavus; Elev., 36′; Fac. Class., MHW; Ident., GAV; Procedure No. 1, Amdt. 6; Eff. Date, 19 Sept. 64; Sup. Amdt. No. 5; Dated, 4 Apr. 64

Moreno Int	SB RBn	Direct	5000	T-dn	500-1	500-1	NA
POM VOR	Mira Int*	Direct	4000	C-dn¢	800-1	800-1	NA
ONT VOR	Mira Int*	Direct	5000	A-dn	1200-2	1200-2	NA
Mira Int*	SB RBn (final)	Direct	3200				

Procedure turn N% side of crs, 236° Outbnd, 056° Inbnd, 4300′ within 10 miles.
Minimum altitude over facility on final approach crs, 3200′.
Crs and distance, facility to airport, 066°—4.4 miles.
If visual contact not established upon descent to authorized landing minimums or if landing not accomplished within 4.4 miles after passing SB RBn, turn left, climb to 4500′ on 236° crs from SB RBn within 20 miles.
*Mira Int: Int 236° bearing from SB RBn and RAL VOR R-313.
¢Maneuvering S of airport not authorized, due high terrain.
%All turns N side of the crs; traffic restrictions.
MSA within 25 miles of facility: 090°–180°—6000′; 180°–270°—6100′; 270°–090°—11,900′.

City, San Bernardino; State, Calif.; Airport Name, Tri-City; Elev., 1044′; Fac. Class., HWZ; Ident., SB; Procedure No. 1, Amdt. 1; Eff. Date, 19 Sept. 64; Sup. Amdt. No. Orig.; Dated, 8 Aug. 64

GEG VOR	GE LOM	Direct	4000	T-dn	500-1	500-1	400-1
				C-dn	1000-1	1000-1	1000-1¼
				A-dn	1000-2	1000-2	1000-2

Procedure turn S side of crs, 245° Outbnd, 065° Inbnd, 4000′ within 10 miles.
Minimum altitude over facility on final approach crs, 3500′.
Crs and distance, facility to airport, 065°—5.1 miles.
If visual contact not established upon descent to authorized landing minimums or if landing not accomplished within 5.1 miles after passing GE LOM, make immediate right turn, return to GE LOM climbing to 4000′.
CAUTION: Obstructions to 2700′ 0.9 mile N and to 4600′ 6.0 miles S of airport.
MSA within 25 miles of the facility: 000°–090°—7100′; 090°–180°—6300′; 180°–270°—4100′; 270°–360°—5100′.

City, Spokane; State, Wash.; Airport Name, Felts Field; Elev., 1953′; Fac. Class., LOM; Ident., GE; Procedure No. 1, Amdt. Orig.; Eff. Date, 19 Sept. 64

PROCEDURE CANCELLED EFFECTIVE 19 SEPT. 1964 OR UPON DECOMMISSIONING OF FACILITY.

City, Wheeling; State, W. Va.; Airport Name, Ohio County; Elev., 1195′; Fac. Class., LOM; Ident., HL; Procedure No. 1, Amdt. 3; Eff. Date, 6 Apr. 63; Sup. Amdt. No. 2; Dated, 1 Apr. 61

3. By amending the following very high frequency omnirange (VOR) procedures prescribed in § 97.11(c) to read:

VOR STANDARD INSTRUMENT APPROACH PROCEDURE

Bearings, headings, courses and radials are magnetic. Elevations and altitudes are in feet MSL. Ceilings are in feet above airport elevation. Distances are in nautical miles unless otherwise indicated, except visibilities which are in statute miles.
If an instrument approach procedure of the above type is conducted at the below named airport, it shall be in accordance with the following instrument approach procedure, unless an approach is conducted in accordance with a different procedure for such airport authorized by the Administrator of the Federal Aviation Agency. Initial approaches shall be made over specified routes. Minimum altitudes shall correspond with those established for en route operation in the particular area or as set forth below.

Transition				Ceiling and visibility minimums			
From—	To—	Course and distance	Minimum altitude (feet)	Condition	2-engine or less		More than 2-engine, more than 65 knots
					65 knots or less	More than 65 knots	
				T-dn	300-1	300-1	200-½
				C-dn	500-1	500-1	500-1¼
				A-dn*	800-2	800-2	800-2

Procedure turn E side of crs, 324° Outbnd, 144° Inbnd, 4200′ within 10 miles. Nonstandard due to ATC requirement.
All turns to be made on E side of crs.
Minimum altitude over facility on final approach crs, 3900′.
Crs and distance, facility to airport, 144°—5.4 miles.
If visual contact not established upon descent to authorized landing minimums or if landing not accomplished within 5.4 miles after passing BGS-VOR, climb to 4100′ on BGS VOR R-144 within 20 miles.
NOTES: 1. Weather and communications service not available to general public at Howard County Airport. 2. Pilots using this approach shall, as soon as practicable, advise Webb Approach Control when contact or executing a missed approach.
Other changes: Deletes transition from BGS RBn. Deletes air carrier note.
*Alternate usage authorized for air carriers only.
MSA within 25 miles of the facility: 000°–090°—3900′; 090°–180°—4100′; 180°–270°—4000′; 270°–360°—4300′.

City, Big Spring; State, Tex.; Airport Name, Howard County; Elev., 2560′; Fac. Class., BVOR; Ident., BGS; Procedure No. 1, Amdt. 5; Eff. Date, 19 Sept. 64; Sup. Amdt. No. 4; Dated, 1 Sept. 62

VOR STANDARD INSTRUMENT APPROACH PROCEDURE—Continued

Transition				Ceiling and visibility minimums			
From—	To—	Course and distance	Minimum altitude (feet)	Condition	2-engine or less		More than 2-engine, more than 65 knots
					65 knots or less	More than 65 knots	
BOI RBn	BOI-VOR	Direct	4500	T-dn	300–1	300–1	200–½
Mayfield Int	BOI-VOR	Direct	7000	C-dn	400–1	500–1	500–1½
Willow Creek Int	BOI-VOR	Direct	7500	S-dn-10R#	400–1	400–1	400–1
				A-dn	900–2	900–2	900–2

Radar vectoring authorized in accordance with approved patterns.
Procedure turn S side of crs, 286° Outbnd, 106° Inbnd, 4500′ within 10 miles.
Minimum altitude over Meridian Int or 3.5-mile DME fix on final approach, 3700′.
Crs and distance, Meridian Int or 3.5-mile DME fix to airport, 106°—3.5 miles.
If visual contact not established upon descent to authorized landing minimums or if landing not accomplished within 0.0 mile after passing BOI-VOR, climb to 5500′ on R-111 within 10 miles. All turns S.
NOTE: ADF or DME equipment required for descent below 3700′.
#400–¾ authorized, except for turbojet aircraft, with operative high-intensity runway lights.
MSA within 25 miles of facility: 000°–090°—8600′; 090°–180°—7700′; 180°–270°—6700′; 270°–360°—8200′.

City, Boise; State, Idaho; Airport Name, Boise Air Terminal; Elev., 2858′; Fac. Class., BVORTAC; Ident., BOI; Procedure No. 1, Amdt. 6; Eff. Date, 19 Sept. 64; Sup. Amdt. No. 5; Dated, 2 May 64

BRT VOR	Mansfield Int* (final)	Direct	1700	T-dn	300–1	300–1	NA
				C-dn	1000–2	1000–2	NA
				A-dn	NA	NA	NA

Radar may be used to position aircraft for a final approach within 6 miles E of Mansfield Int.* Radar may be used to determine Mansfield Int.*
Nonradar approach may be made from Britton holding pattern.**
Procedure turn not authorized.
Minimum altitude over Mansfield Int* on final approach crs, 1700′.
Crs and distance, Mansfield Int* to airport, 285°—7.4 miles; BRT VOR to airport 285°—13.3 miles.
If visual contact not established upon descent to authorized landing minimums or if landing not accomplished within 5.5 miles after passing Mansfield Int,* turn left, climb to 3000′ return to BRT VOR via R-285. Hold in Britton holding pattern** for further clearance. MHA–3000′.
CAUTION: 2340′ towers 8.0 miles NE of BRT VOR; 1743′ tower 10.4 miles N of airport. Pilots using this procedure are requested to close their IFR flight plans with FTW approach control when landing at Oak Grove Airport is assured, or by commercial facilities as soon as practicable after landing. No weather service available. UNICOM in operation daylight hours only.
Major changes: Deletes "or 5.0-mile radar fix (final)" in transition. Deletes "5-mile fix" after Mansfield Int, in radar portion. Deletes minimum altitude over BRT VOR.
MSA within 25 miles of facility: 000°–090°—3400′; 090°–180°—2300′; 180°–270°—2200′; 270°–360°—2800′.
*Mansfield Int: Int of BRT R-285 and GSW R-192.
**Britton Holding Pattern: Hold S on BRT R-200, left turns, 1-minute, MHA–3000′.

City, Fort Worth; State, Tex.; Airport Name, Oak Grove; Elev., 690′; Fac. Class., M-BVOR; Ident., BRT; Procedure No. 1, Amdt. 1; Eff. Date, 19 Sept. 64; Sup. Amdt. No. Orig.; Dated, 8 Aug. 64

				T-dn	300–1	300–1	NA
				C-d	900–1	900–1	NA
				C-n	900–2	900–2	NA
				A-dn	NA	NA	NA

Procedure turn W side of crs, 331° Outbnd, 151° Inbnd, 2000′ within 10 miles.
Minimum altitude over facility on final approach crs, 2000′.
Crs and distance, facility to airport, 151°—9.7 miles.
If visual contact not established upon descent to authorized landing minimums or if landing not accomplished within 9.7 miles after passing HBG VOR, turn left, climb to 2000′ and return to HBG VOR via R-151.
NOTES: 1. Aircraft will cancel IFR with MCB FSS or NEW ARTCC prior to landing or upon reaching visual flight conditions. 2. Aircraft will not take off under IFR conditions without prior ATC approval. 3. Weather and communications remoted to MCB FSS. 4. Caution: Airspace restricted area (R-4401), 5 miles SE of airport. 5. Caution: Trees in approach area all runways.
MSA within 25 miles of facility: 000°–090°—1800′; 090°–180°—1700′; 180°–270°—1400′; 270°–360°—1400′.

City, Hattiesburg; State, Miss.; Airport Name, Municipal; Elev., 151′; Fac. Class., L-BVOR; Ident., HBG; Procedure No. 1, Amdt. Orig.; Eff. Date, 19 Sept. 64

				T-d	300–1	300–1	NA
				C-d	700–1	700–1	NA
				A-d	NA	NA	NA
				Following minimums apply for VOR and DME equipped aircraft and *Lock DME fix identified:			
				C-d	500–1	500–1	NA

Procedure turn W side of crs, 329° Outbnd, 149° Inbnd, 2000′ within 10 miles.
Minimum altitude over facility on final approach crs, 2000′.
Crs and distance, facility to airport, 149°—8.1 miles.
If visual contact not established upon descent to authorized landing minimums or if landing not accomplished within 8.1 miles after passing EVV VOR, climb to 2000′ on R-149 within 10 miles of airport, make left turn and return to VOR.
NOTE: When authorized by ATC, DME may be used to position aircraft for straight-in approach at 2000′ between R-224 clockwise to R-077 via 6-mile DME arc with the elimination of the procedure turn.
CAUTION: No weather service available. Obtain EVV weather.
*Lock DME fix: 6.0-mile DME fix on EVV VOR R-149.

City, Henderson; State, Ky.; Airport Name, Henderson; Elev., 385′; Fac. Class., BVORTAC; Ident., EVV; Procedure No. 1, Amdt. 3; Eff. Date, 19 Sept. 64; Sup. Amdt. No. 2; Dated, 14 Mar. 62

				T-dn*	300–1	300–1	200–½
				C-dn#	400–1	500–1	500–1½
				S-dn-1%	400–1	400–1	400–1
				A-dn	800–2	800–2	800–2

Procedure turn W side of crs, 165° Outbnd, 345° Inbnd, 1500′ within 10 miles. Beyond 10 miles not authorized. Procedure turn nonstandard due to ATC requirements.
Minimum altitude over facility on final approach crs, 700′.
Crs and distance, facility to airport, 344°—3.0 miles.
If visual contact not established upon descent to authorized landing minimums or if landing not accomplished within 3.0 miles after passing LFT-VOR, climb to 1500′ on R-005 within 15 miles or, when directed by ATC, turn right, climb to 1500′ on R-278 within 20 miles.
Other change: Deletes air carrier note.
%400–¾ authorized, except for turbojet aircraft, with operative high-intensity runway lights.
#CAUTION: 494′ TV tower 3.0 miles WNW of airport. 539′ TV tower 7 miles NW of airport.
*500–1 required for takeoffs on Runway 28.

City, Lafayette; State, La.; Airport Name, Lafayette; Elev., 42′; Fac. Class., BVOR; Ident., LFT; Procedure No. 1, Amdt. 6; Eff. Date, 19 Sept. 64; Sup. Amdt. No. 5; Dated, 30 Nov. 63

VOR STANDARD INSTRUMENT APPROACH PROCEDURE—Continued

Transition				Ceiling and visibility minimums			
From—	To—	Course and distance	Minimum altitude (feet)	Condition	2-engine or less		More than 2-engine, more than 65 knots
					65 knots or less	More than 65 knots	
Midway Fix	LGB VOR (final)	Direct	1500	T-dn*	300–1	300–1	200–½
				C-dn	500–1	600–1	600–2
				A-dn	800–2	800–2	800–2

Radar vectoring and transitions via approved Long Beach radar patterns authorized.
Procedure turn S side of crs, 120° Outbnd, 300° Inbnd, 1700′ within 10 miles.
Minimum altitude over facility on final approach, 1500′.
Crs and distance, facility to airport, 274°—4.4 miles.
If visual contact not established upon descent to authorized landing minimums or if landing not accomplished within 4.4 miles after passing LGB–VOR, climb via LGB R–274 to 800′, turn left, climb on 190° heading to intercept LAX R–145 and proceed to San Pedro Int at 2500′.
CAUTION: Standard clearance over obstructions not provided for circling minimums; 500′ hill with oil derricks 1 mile S of airport. All circling and maneuvering shall be accomplished N of field.
*300–1 required on Runways 16L, 25L, and 34R; 600–1½ required for takeoff on Runway 16R.
MSA within 25 miles of facility: 045°–135°—6100′; 135°–225°—1600′; 225°–315°—3400′; 315°–045°—6600′.

City, Long Beach; State, Calif.; Airport Name, Long Beach Municipal; Elev., 58′; Fac. Class., BVORTAC; Ident., LGB; Procedure No. 1, Amdt. 4; Eff. Date, 19 Sept. 64; Sup. Amdt. No. 3; Dated, 8 Dec. 62

Marshall VOR	Tatum Int	ASL R–222	1900	T-dn	300–1	300–1	200–½
Int GGG R–083 and ALS R–222	Tatum Int	ASL R–222	1900	C-dn	400–1	500–1	500–1½
Cushing Int	Tatum Int	ASL R–222	2100	S-dn-13%*	400–1	400–1	400–1
Tatum Int	GGG–VOR	GGG R–125	1900	A-dn	800–2	800–2	800–2

Procedure turn S side of crs, 305° Outbnd, 125° Inbnd, 1900′ within 10 miles.
Minimum altitude over facility on final approach crs, 1100′.
Crs and distance, facility to airport, 125°—2.3 miles.
If visual contact not established upon descent to authorized landing minimums or if landing not accomplished within 2.3 miles after passing GGG–VOR, climb to 1900′ on R–125 from GGG–VOR within 20 miles.
CAUTION: 644′ radio tower 5 miles NW of airport, 870′ tower 9 miles WSW of airport. 650 FPM descent required at 120 K.
% 400–½ authorized, except for turbojet aircraft, with operative ALS and high-intensity runway lights.
*400–¾ authorized, except for turbojet aircraft, with operative high-intensity runway lights.

City, Longview; State, Tex.; Airport Name, Gregg County Municipal; Elev., 365′; Fac. Class., BVOR; Ident., GGG; Procedure No. 1, Amdt. 6; Eff. Date, 19 Sept. 64; Sup. Amdt. No. 5; Dated, 9 Nov. 63

				T-dn	300–1	300–1	200–½
				C-dn	500–1	500–1	500–1½
				S-dn-4%*	400–1	400–1	400–1
				A-dn	800–2	800–2	800–2

Procedure turn S side of crs, 215° Outbnd, 035° Inbnd, 1600′ within 10 miles. Beyond 10 miles not authorized.
Minimum altitude over facility on final approach crs, 1200′.
Crs and distance, facility to airport, 035°—4.2 miles.
If visual contact not established upon descent to authorized landing minimums or if landing not accomplished within 4.2 miles after passing MLU–VOR, climb to 2000′ on R–065 within 20 miles.
CAUTION: 850′ TV antenna located 3.7 miles WNW of airport.
%400–½ authorized, except for turbojet aircraft, with operative ALS and high-intensity runway lights.
*400–¾ authorized, except for turbojet aircraft, with operative high-intensity runway lights.

City, Monroe; State, La.; Airport Name, Selman; Elev., 79′; Fac. Class., BVORTAC; Ident., MLU; Procedure No. 1, Amdt. 6; Eff. Date, 19 Sept. 64; Sup. Amdt. No. 5; Dated, 2 Nov. 63

Pyramid Int/DME Fix	RNO VOR	Direct	9000	T-dn#	1000–2	1000–2	1000–2
Wadsworth Int/DME Fix	RNO VOR	Direct	9500	C-dn	2000–2	2000–2	2000–2
Verdi Int/DME Fix*	RNO VOR	Direct	10,500	A-dn	2500–3	2500–3	2500–3
Steamboat Int/DME Fix	RNO VOR	Direct	9000				
Mustang Int/DME Fix	RNO VOR (final)	Direct	7900				

Procedure turn S side crs, 049° Outbnd, 229° Inbnd, 9000′ within 10 miles.
Procedure turn S side of crs, high terrain N.
Minimum altitude over facility on final approach crs, 7900′.
Crs and distance, facility to airport, 229°—5.1 miles.
If visual contact not established upon descent to authorized landing minimums or if landing not accomplished within 5.1 miles after passing RNO VOR, turn right, climb to 9000′ on RNO VOR R–039 to Mustang Int.
CAUTION: If contact not established at minimums, missed approach must be started immediately due to high terrain W.
AIR CARRIER NOTE: Reduction in visibility by sliding scale or local conditions not authorized for takeoff and landing.
NOTE: When authorized by ATC, DME may be used within 10 to 15 miles at 10,000′ between RNO R–330 clockwise to RNO R–117 to position aircraft for straight-in approach with the elimination of procedure turn.
*9000′ authorized if DME used to identify Verdi DME Fix.
#2000–2 required for takeoff for transition from over airport direct to Reno VOR.

City, Reno; State, Nev.; Airport Name, Reno Municipal; Elev., 4411′; Fac. Class., BVORTAC; Ident., RNO; Procedure No. 1 Amdt. 12; Eff. Date, 19 Sept. 64; Sup. Amdt. No. 11; Dated, 8 Aug. 64

				T-dn	300–1	300–1	200–½
				C-dn	400–1	500–1	500–1½
				S-dn-21*	400–1	400–1	400–1
				A-dn	800–2	800–2	800–2

Procedure turn E side of crs, 054° Outbnd, 234° Inbnd, 3400′ within 10 miles. Nonstandard due to obstruction.
Minimum altitude over facility on final approach crs, 2500′.
Crs and distance, facility to airport, 234°—1.8 miles.
If visual contact not established upon descent to authorized landing minimums or if landing not accomplished within 1.8 miles after passing SJT VOR, climb to 3600′ on R–234 within 20 miles.
NOTE: Final approach from holding pattern not authorized, procedure turn required.
*400–¾ authorized, except for turbojet aircraft, with operative high-intensity runway lights.

City, San Angelo; State, Tex.; Airport Name, Mathis Field; Elev., 1915′; Fac. Class., BVOR; Ident., SJT; Procedure No. 1, Amdt. 7; Eff. Date, 19 Sept. 64; Sup. Amdt. No. 6; Dated, 6 Apr. 63

VOR STANDARD INSTRUMENT APPROACH PROCEDURE—Continued

Transition				Ceiling and visibility minimums			
From—	To—	Course and distance	Minimum altitude (feet)	Condition	2-engine or less		More than 2-engine, more than 65 knots
					65 knots or less	More than 65 knots	
				T-dn* C-d** C-n** A-dn#	300–1 700–1 700–2 800–2	300–1 700–1 700–2 800–2	NA NA NA NA

Procedure turn S side of crs, 266° Outbnd, 086° Inbnd, 2000′ within 10 miles.
Minimum altitude over facility on final approach crs, 2000′.
Crs and distance, facility to airport, 086°—9.4 miles.
If visual contact not established upon descent to authorized landing minimums or if landing not accomplished within 9.4 miles after passing SOP VOR, make immediate left turn, climbing to 2000′, returning to SOP VOR via R–086.
*Aircraft will not take off under IFR conditions without prior ATC approval.
**IFR flight plan must be closed with Raleigh Approach Control on appropriate frequency upon reaching contact at authorized minimums or immediately after landing with Fayetteville CS/T.
#Alternate minimums authorized only for air carriers having approval for their weather service.
Weather service not available to the general public.
MSA within 25 miles of the facility: 000°–270°—1800′; 270°–360°—2200′.

City, Southern Pines; State, N.C.; Airport Name, Pinehurst-Southern Pines; Elev., 460′; Fac. Class., L–BVOR; Ident., SOP; Procedure No. 1, Amdt. 1; Eff. Date, 19 Sept. 64 Sup. Amdt. No. Orig.; Dated, 8 Aug. 64

4. By amending the following terminal very high frequency omnirange (TerVOR) procedures prescribed in § 97.13 to read:

TERMINAL VOR STANDARD INSTRUMENT APPROACH PROCEDURE

Bearings, headings, courses and radials are magnetic. Elevations and altitudes are in feet MSL. Ceilings are in feet above airport elevation. Distances are in nautical miles unless otherwise indicated, except visibilities which are in statute miles.
If an instrument approach procedure of the above type is conducted at the below named airport, it shall be in accordance with the following instrument approach procedure, unless an approach is conducted in accordance with a different procedure for such airport authorized by the Administrator of the Federal Aviation Agency. Initial approaches shall be made over specified routes. Minimum altitudes shall correspond with those established for en route operation in the particular area or as set forth below.

Transition				Ceiling and visibility minimums			
From—	To—	Course and distance	Minimum altitude (feet)	Condition	2-engine or less		More than 2-engine, more than 65 knots
					65 knots or less	More than 65 knots	
Bradley Int Weddington Int Bethany Int Waco Int Stanley Int	CLT VOR CLT VOR CLT VOR CLT VOR CLT VOR	Direct Direct Direct Direct Direct	2900 2300 2300 2900 2900	T-dn C-dn S-dn-23 A-dn	300–1 600–1 600–1 800–2	300–1 600–1 600–1 800–2	200–½ 600–1½ 600–1 800–2

Radar vectoring authorized in accordance with approved patterns.
Procedure turn N side of crs, 060° Outbnd, 240° Inbnd, 2900′ within 10 miles of Parks Int.*
Minimum altitude over Parks Int* on final approach crs, 1800′.#
Crs and distance, Parks Int* to airport, 240°—4.2 miles.
Crs and distance, breakoff point to end of runway, 230°—0.4 mile.
If visual contact not established upon descent to authorized landing minimums or if landing not accomplished within 4.2 miles after passing Parks Int,* climb to 2100′, turn left and proceed to FML–VOR via FML R–007.
Other changes: Deletes note re dual VOR receivers required.
*Parks Int: Int R–060 CLT–VOR and R–018 FML–VOR or 4.6-mile DME fix, R–060.
MSA within 25 miles of the facility: 000°–090°—2900′; 090°–180°—2200′; 180°–270°—2700′; 270°–360°—2900′.

City, Charlotte; State, N.C.; Airport Name, Douglas Municipal; Elev., 748′; Fac. Class., BVORTAC; Ident., CLT; Procedure No. TerVOR–23, Amdt. 3; Eff. Date, 19 Sept. 64; Sup. Amdt. No. 2; Dated, 15 Sept. 62

VIH VOR MAP VOR	TBN VOR TBN VOR	Direct Direct	2700 2800	T-dn C-dn S-dn-14 A-dn	300–1 600–1 600–1 800–2	300–1 600–1½ 600–1 800–2	200–½ 600–1½ 600–1 800–2

Procedure turn N side of crs, 317° Outbnd, 137° Inbnd, 2400′ within 10 miles.
Minimum altitude over facility on final approach crs, 1800′.
Facility on airport.
Crs and distance breakoff point to runway, 142°—1.0 mile.
If visual contact not established upon descent to authorized landing minimums or if landing not accomplished within 0.0 mile after passing TBN VOR, climb to 2700′ on R–142 within 10 miles, turn left and return to TBN VOR. Hold on R–112, right turns.
NOTES: 1. Do not proceed closer than 10 miles of Fort Leonard Wood unless contact has been established with Forney Tower. 2. Authorized for military use only except by prior arrangement.
MSA within 25 miles of facility: 000°–270°—2800′; 270°–360°—2400′.

City, Fort Leonard Wood; State, Mo.; Airport Name, Forney AAF; Elev., 1158′; Fac. Class., VOR; Ident., TBN; Procedure No. TerVOR–14, Amdt. 1; Eff. Date, 19 Sept. 64; Sup. Amdt. No. Orig.; Dated, 12 May 62

VIH VOR MAP VOR MAP VOR Roby Int*	TBN VOR TBN VOR Roby Int* Big Piney Int** (final)	Direct Direct Via MAP VOR R–278. Direct	2700 2800 2800 1900	T-dn C-dn S-dn-32 A-dn	300–1 500–1 400–1 800–2	300–1 600–1½ 400–1 800–2	200–½ 600–1½ 400–1 800–2

Procedure turn E side of crs, 142° Outbnd, 322° Inbnd, 2400′ within 10 miles.
Minimum altitude over Big Piney Int** on final approach crs, 1900′.
Crs and distance, Big Piney Int** to airport 322°—2.8 miles; Breakoff point to runway, 318°—0.3 mile.
If visual contact not established upon descent to authorized landing minimums or if landing not accomplished within 2.8 miles after passing Big Piney Int,** climb to 2700′ on R–317 within 10 miles, turn left and return to TBN VOR. Hold on R–112, right turns.
NOTES: 1. Procedure penetrates restricted area 4501–B. Do not proceed closer than 10 miles of Fort Leonard Wood unless contact has been established with Forney Tower. 2. Operating VOR and ADF equipment required to execute this procedure. 3. Authorized for military use only except by prior arrangement.
*Roby Int: MAP VOR R–278 and TBN VOR R–142.
**Big Piney Int: TBN VOR R–142 and 235° bearing from TBN RBn.
MSA within 25 miles of facility: 000°–270°—2800′; 270°–360°—2400′.

City, Fort Leonard Wood; State, Mo.; Airport Name, Forney AAF; Elev., 1158′; Fac. Class., VOR; Ident., TBN; Procedure No. TerVOR–32, Amdt. 1; Eff. Date, 19 Sept. 64; Sup. Amdt. No. Orig.; Dated, 12 May 62

TERMINAL VOR STANDARD INSTRUMENT APPROACH PROCEDURE—Continued

Transition				Ceiling and visibility minimums			
From—	To—	Course and distance	Minimum altitude (feet)	Condition	2-engine or less		More than 2-engine, more than 65 knots
					65 knots or less	More than 65 knots	
Sunol Int	SJC VOR	Direct	#5000	T-dn*	300-1	300-1	200-½
Mount Hamilton Int	SJC VOR	Direct	#5000	C-dn	600-1	600-1	600-1¼
Saratoga Int	SJC VOR	Direct	#4500	S-dn-12R	600-1	600-1	600-1
OSI VOR	SJC VOR	Direct	4000	A-dn	800-2	800-2	800-2
Lick Int**	SJC VOR	Direct	3500				
OAK VOR	SJC VOR	Direct	3000				
SFO VOR	Agnew Int	Direct	2000				
Agnew Int	SJC VOR (final)	Direct	700				

Radar vectoring authorized in accordance with approved patterns.
Procedure turn W side of crs, 308° Outbnd, 128° Inbnd, 1600′ within 10 miles.
Minimum altitude over facility on final approach crs, 700′.
Facility on airport.
Crs and distance, Agnew Int to VOR, 128°—5.5 miles; breakoff point to Runway 12R, 122°—0.4 mile.
If visual contact not established upon descent to authorized landing minimums or if landing not accomplished within 0.0 mile of VOR, turn left, climb to 2000′ on R-308 within 15 miles.
AIR CARRIER NOTE: Reduction in visibility by sliding scale or local condition not authorized for takeoff on Runway 12R/L.
#Shuttle descent to 3000′ shall be accomplished in a 1-minute holding, 300° Inbnd, left turns before commencing procedure turn.
*400-1 required when taking off on Runways 12 R-L.
**Lick Int: Int R-332 SNS VOR and E crs SJC ILS or R-120 SJC VOR.
MSA within 25 miles of facility: 320°-105°—5400′; 105°-200°—5100′; 200°-290°—4200′; 290°-320°—2500′.

City, San Jose; State, Calif; Airport Name, San Jose Municipal; Elev., 56′; Fac. Class., VOR; Ident., SJC; Procedure No. TerVOR-12R, Amdt. 7; Eff. Date, 19 Sept. 64; Sup. Amdt. No. 6; Dated 25 July 64

Mt Hamilton Int	SJC VOR	Direct	5000	T-dn*	300-1	300-1	200-½
SJC VOR	Lick Int*	Direct	4000	C-dn	700-1	700-1	700-1¼
Morgan Int	Lick Int*	Direct	4000	A-dn	800-2	800-2	800-2
Lick Int*	SJC ILS OM (final)	Via SJC VOR R-120.	2000				

Radar vectoring authorized in accordance with approved patterns.
Procedure turn E side of crs, 120° Outbnd, 300° Inbnd, 4000′ within 10 miles of Lick Int.*
Facility on airport.
Minimum altitude over Lick Int* on final approach crs, 4000′; over OM 2000′; over facility 800′.
Crs and distance, SJC ILS OM to airport, 300°—5.1 miles; OM to VOR, 5.4 miles.
If visual contact not established upon descent to authorized landing minimums or if landing not accomplished within 0.0 mile of VOR, climb to 2000′ on R-308 within 15 miles.
AIR CARRIER NOTE: Reduction in visibility by sliding scale or local condition not authorized for takeoff on Runway 12R/L.
*400-1 required for takeoff on Runway 12R/L.
*Lick Int: Int SNS VOR R-332 and E crs SJC ILS or R-120 SJC VOR.
MSA within 25 miles of facility: 320°-105°—5400′; 105°-200°—5100′; 200°-290°—4200′; 290°-320°—2500′.

City, San Jose; State, Calif.; Airport Name, San Jose Municipal; Elev., 56′; Fac. Class., VOR; Ident., SJC; Procedure No. TerVOR-30L, Amdt. 7; Eff. Date, 19 Sept. 64; Sup. Amdt. No. 6; Dated, 18 Apr. 64

5. By amending the following very high frequency omnirange-distance measuring equipment (VOR/DME) procedures prescribed in § 97.15 to read:

VOR/DME STANDARD INSTRUMENT APPROACH PROCEDURE

Bearings, headings, courses and radials are magnetic. Elevations and altitudes are in feet MSL. Ceilings are in feet above airport elevation. Distances are in nautical miles unless otherwise indicated, except visibilities which are in statute miles.
If an instrument approach procedure of the above type is conducted at the below named airport, it shall be in accordance with the following instrument approach procedure, unless an approach is conducted in accordance with a different procedure for such airport authorized by the Administrator of the Federal Aviation Agency. Initial approaches shall be made over specified routes. Minimum altitudes shall correspond with those established for en route operation in the particular area or as set forth below.

Transition				Ceiling and visibility minimums			
From—	To—	Course and distance	Minimum altitude (feet)	Condition	2-engine or less		More than 2-engine, more than 65 knots
					65 knots or less	More than 65 knots	
25-mile DME Fix R-286	15-mile DME Fix R-286	Direct	5500	T-dn	300-1	300-1	200-½
15-mile DME Fix R-286	7-mile DME Fix R-286	Direct	4100	C-dn	400-1	500-1	500-1¼
7-mile DME Fix R-286	3.5-mile DME Fix R-286	Direct	3700	S-dn-10L and R#	400-1	400-1	400-1
3.5-mile DME Fix R-286	BOI VOR	Direct	3300	A-dn	800-2	800-2	800-2

Procedure turn S side of crs, 286° Outbnd, 106° Inbnd, 4500′ within 10 miles.
If visual contact not established upon descent to authorized landing minimums or if landing not accomplished within 0.0 mile, climb to 5500′ on R-111 within 10 miles. All turns S.
NOTE: When authorized by ATC, DME may be used within 20 miles at 9500′ between R-302 clockwise to R-110 and 7500′ between R-111 clockwise to R-301 to position aircraft for final approach with the elimination of procedure turn.
#400-¾ authorized, except for turbojet aircraft, with operative high-intensity runway lights.
MSA within 25 miles of facility: 000°-090°—8600′; 090°-180°—7700′; 180°-270°—6700′; 270°-360°—8200′.

City, Boise; State, Idaho; Airport Name, Boise Air Terminal; Elev., 2858′; Fac. Class., BVORTAC; Ident., BOI; Procedure No. VOR/DME No. 1, Amdt. 1; Eff. Date, 19 Sept. 64; Sup. Amdt. No. Orig.; Dated, 7 July 62

25-mile DME Fix R-111	15-mile DME Fix R-111	Direct	7500	T-dn	300-1	300-1	200-½
15-mile DME Fix R-111	7.0-mile DME Fix R-111	Direct	5500	C-dn	700-1	700-1	700-1¼
7.0-mile DME Fix R-111	3.0-mile DME Fix R-111	Direct	4000	A-dn	800-2	800-2	800-2
3.0-mile DME Fix R-111	1.5-mile DME Fix R-111	Direct	3600				

Procedure turn S side of crs, 111° Outbnd, 291° Inbnd, 6000′ between 5 miles and 15 miles. High terrain N.
If visual contact not established upon descent to authorized landing minimums or if landing not accomplished at 1.5-mile DME fix R-111, climb to 4200′ on R-286 within 10 miles.
NOTE: When authorized by ATC, DME may be used within 20 miles at 9500′ between R-302 clockwise to R-110 and 7500′ between R-111 clockwise to R-301 to position aircraft for final approach with the elimination of procedure turn.
MSA within 25 miles of facility: 000°-090°—8600′; 090-180°—7700′; 180°-270°—6700′; 270°-360°—8200′.

City, Boise; State, Idaho; Airport Name, Boise Air Terminal; Elev., 2858′; Fac. Class., BVORTAC; Ident., BOI; Procedure No. VOR/DME No. 2, Amdt. 1; Eff. Date, 19 Sept. 64; Sup. Amdt. No. Orig.; Dated, 7 July 62

VOR–DME STANDARD INSTRUMENT APPROACH PROCEDURE—Continued

Transition				Ceiling and visibility minimums			
From—	To—	Course and distance	Minimum altitude (feet)	Condition	2-engine or less		More than 2-engine, more than 65 knots
					65 knots or less	More than 65 knots	
PMD RBn	PMD VOR	Direct	5000	*T–dn	300–1	300–1	200–½
				C–dn	400–1½	500–1½	500–2
				S–dn 25	400–1½	400–1½	400–1½
				A–dn	800–2	800–2	800–2

Procedure turn Teardrop, right turn, 044° Outbnd, 244° Inbnd, 4700′ within 10 miles.
Minimum altitude over 5.0-mile DME Fix R–064 on final approach crs, 3800′.
Crs and distance, 5.0-mile DME FIX R–064, to airport 244°—5.5 miles; breakoff point to runway, 251°—1.6 miles.
If visual contact not established upon descent to authorized landing minimums or if landing not accomplished at 1.1 miles before VORTAC, make right-climbing turn and climb via R–067 to 5000′ within 10 miles.
NOTE: Military airport—Authorized for military use only, except by prior arrangement.
*600–2 required for takeoff on Runway 22.
MSA within 25 miles of facility: 000°–090°—4700′; 090°—180°—10,400′; 180°–360°—7700′.

City, Palmdale; State, Calif.; Airport Name, Palmdale AF Plant No. 42; Elev., 2549′; Fac. Class., H–BVOR; Ident., PMD; Procedure No. VOR/DME No. 1, Amdt. Orig.; Eff. Date, 19 Sept. 64

6. By amending the following instrument landing system procedures prescribed in § 97.17 to read:

ILS STANDARD INSTRUMENT APPROACH PROCEDURE

Bearings, headings, courses and radials are magnetic. Elevations and altitudes are in feet MSL. Ceilings are in feet above airport elevation. Distances are in nautical miles unless otherwise indicated, except visibilities which are in statute miles.
If an instrument approach procedure of the above type is conducted at the below named airport, it shall be in accordance with the following instrument approach procedure, unless an approach is conducted in accordance with a different procedure for such airport authorized by the Administrator of the Federal Aviation Agency. Initial approaches shall be made over specified routes. Minimum altitudes shall correspond with those established for en route operation in the particular area or as set forth below.

Transition				Ceiling and visibility minimums			
From—	To—	Course and distance	Minimum altitude (feet)	Condition	2-engine or less		More than 2-engine, more than 65 knots
					65 knots or less	More than 65 knots	
Justin Int	Keller Int ##	Direct	2000	T–dn	300–1	300–1	*200–½
Keller Int##	OM (final)	Direct	2000	C–dn	600–1	600–1	600–1½
Joshua Int	OM	Via FTW ILS	2200	S–dn–17#%	300–¾	300–¾	300–¾
				A–dn	600–2	600–2	600–2

Radar vectoring may be used to position aircraft for final approach N of OM with elimination of procedure turn.
Procedure turn E side of crs, 354° Outbnd, 174° Inbnd, 2000′ within 10 miles of OM. Beyond 10 miles not authorized.
Nonstandard due to ATC requirements.
Minimum altitude over facility on final approach crs, 2000′.
Minimum altitude at glide slope interception Inbnd, 2000′.
Altitude of glide slope and distance to approach end of runway at OM 2000′—3.5 miles, at MM 950′–0.6 mile.
If visual contact not established upon descent to authorized landing minimums or if landing not accomplished, climb to 2000 on S crs ILS within 20 miles.
CAUTION: 956′ grain elevator 1.5 miles N and 990′ grain elevator 1.9 miles N of airport.
Other changes: Deletes air carrier note.
*300–1 required for takeoff, Runways 9–27 and 13–31.
#600–¾ required when glide slope not utilized.
%400–1 required when control tower is not in operation. Normal hours of tower operation 0700–2300 daily.
##Keller Int: Int of FTW ILS N crs and EWX R–040 or GSW R–300—MAA to determine intersection—8000′.

City, Fort Worth; State, Tex.; Airport Name, Meacham Field; Elev., 692′; Fac. Class., ILS; Ident., I–FTW; Procedure No. ILS–17, Amdt. 16; Eff. Date, 19 Sept. 64; Sup. Amdt. No. 15; Dated, 2 May 64

Keller Int	Stadium Int	Via crs FTW ILS.	2700	T–dn	300–1	300–1	*200–½
Joshua Int	Stadium Int (final)	Direct	2000	C–dn	500–1	600–1	600–1½
Stadium Int#	Caddy Int** (final)	Direct	1400	S–dn–35%%	400–1	400–1	400–1
				A–dn	800–2	800–2	800–2

Procedure turn E side of crs, 174° Outbnd, 354° Inbnd, 2500′ within 10 miles of Stadium Int.
Minimum altitude over Caddy Int on final approach crs, 1400′; 2000′ over Stadium Int.
Crs and distance, Caddy Int to airport, 354°—3.2 miles.
Back crs—No glide slope.
If visual contact not established upon descent to authorized landing minimums or if landing not accomplished within 3.2 miles after passing Caddy Int, climb to 2000′ on N crs of FTW ILS within 20 miles.
NOTE: Aircraft must be capable of simultaneous reception of FTW ILS localizer and GSW VOR.
CAUTION: 956′ grain elevator 1.5 miles N and 990′ grain elevator 1.9 miles N of airport.
Other changes: Deletes air carrier note.
*300–1 required for takeoff Runways 9–27 and 13–31.
**Caddy Int: Int of FTW ILS S crs and GSW R–248, MAA 8000′.
#Radar vectoring may be used to position aircraft for final approach S of Stadium Int with elimination of procedure turn.
%400–¾ authorized, except for turbojet aircraft, with operative high-intensity runway lights.

City, Fort Worth; State, Tex.; Airport Name, Meacham Field; Elev., 692′; Fac. Class., ILS; Ident., I–FTW; Procedure No. ILS–35 (back crs), Amdt. 10; Eff. Date, 19 Sept. 64; Sup. Amdt. No. 9; Dated 21 Mar. 64

Midway Fix	LOM (final)	Direct	1500	T–dn*	300–1	300–1	200–½
San Pedro Int	LOM	Direct	1500	C–dn	500–1	600–1	600–2
LGB VOR	LOM	Direct	1500	S–dn–30#	300–¾	300–¾	300–¾
				A–dn	600–2	600–2	600–2

Radar vectoring to final approach crs authorized.
Procedure turn S side SE crs, 120° Outbnd, 300° Inbnd, 1700′ within 10 miles of LOM. Beyond 10 miles not authorized.
Minimum altitude at glide slope int Inbnd, 1500′.
Altitude of glide slope and distance to approach end of runway at OM, 1344′—4.3 miles; at MM, 230′—0.6 mile.
If visual contact not established upon descent to authorized landing minimums or if landing not accomplished, climb to 800′ on NW crs LGB ILS, turn left, climb on 190° heading to intercept LAX R–145 and proceed to San Pedro Int at 2500′.
CAUTION: Standard clearance over obstructions not provided for circling minimums; 500′ hill with oil derricks 1 mile S of airport. All circling and maneuvering shall be accomplished N of field.
*300–1 required for takeoff, Runways 16L, 25L, 34R; 600–1½ required for takeoff Runway 16R.
#Straight-in landing minimums are 400–1 with glide slope inoperative.

City, Long Beach; State, Calif.; Airport Name, Long Beach Municipal; Elev., 58′; Fac. Class., ILS; Ident., I–LGB; Procedure No. ILS–30, Amdt. 19; Eff. Date, 19 Sept. 64; Sup. Amdt. No. 18; Dated, 10 Mar. 62

ILS STANDARD INSTRUMENT APPROACH PROCEDURE—Continued

Transition				Ceiling and visibility minimums			
From—	To—	Course and distance	Minimum altitude (feet)	Condition	2-engine or less		More than 2-engine, more than 65 knots
					65 knots or less	More than 65 knots	
SFO VOR	Sunnyvale Int# (final)	Direct	2000	T-dn*	300-1	300-1	200-½
				C-dn	600-1	600-1	600-1½
				S-dn-12R	400-1	400-1	400-1
				A-dn	800-2	800-2	800-2

Radar vectoring using Moffett Radar authorized in accordance with approved patterns.
Procedure turn not authorized. Aircraft must (1) proceed from SFO VOR, or (2) be radar vectored to final approach crs.
Minimum altitude over Sunnyvale Int# on final approach crs, 2000'.
Crs and distance, Sunnyvale Int# to airport, 122°—5.6 miles.
No glide slope.
If visual contact not established upon descent to authorized landing minimums or if landing not accomplished within 5.6 miles after passing Sunnvale Int,# make a left-climbing turn, climb to 2000' on the NW crs of SJC ILS within 15 miles.
AIR CARRIER NOTE: Reduction in visibility by sliding scale or local condition not authorized for takeoff on Runway 12R/L.
#Sunnyvale Int: Int NW crs SJC ILS and OSI R-062.
*400-1 required for takeoff on Runway 12L and R.

City, San Jose; State, Calif.; Airport Name, San Jose Municipal; Elev., 56'; Fac. Class., ILS; Ident., I-SJC; Procedure No. ILS-12R (back crs), Amdt. 3; Eff. Date, 19 Sept. 64; Sup. Amdt. No. 2; Dated, 25 July 64

SJC VOR	Lick Int**	Direct	4000	T-dn*	300-1	300-1	200-½
Morgan Int	Lick Int**	Direct	4000	C-dn	600-1	600-1	600-1½
				S-dn-30L#	300-¾	300-¾	300-¾
				A-dn	800-2	800-2	800-2

Radar vectoring authorized in accordance with approved patterns.
Procedure turn E side of crs, 122° Outbnd, 302° Inbnd, 4000' within 10 miles of Lick Int.**
Minimum altitude at glide slope interception Inbnd, 3700'.
Altitude of glide slope and distance to approach end of runway at OM 1734'—5.1 miles; at MM 292'—0.5 mile.
If visual contact not established upon descent to authorized landing minimums or if landing not accomplished, climb to 2000' on NW crs of SJC ILS within 15 miles.
AIR CARRIER NOTES: 1. Reduction in visibility by sliding scale not authorized for landing. 2. Reduction in visibility by sliding scale or local condition not authorized for takeoff on Runway 12R/L.
*400-1 required for takeoff on Runway 12R-L.
#700-1 required if glide slope not utilized.
**Lick Int: Int R-332 SNS VOR and E crs SJC ILS or R-120 SJC VOR.

City, San Jose; State, Calif.; Airport Name, San Jose Municipal; Elev., 56'; Fac. Class., ILS; Ident., I-SJC; Procedure No. ILS-30L, Amdt. 3; Eff. Date, 19 Sept. 64; Sup. Amdt. No. 2; Dated, 25 July 64

7. By amending the following radar procedures prescribed in § 97.19 to read:

RADAR STANDARD INSTRUMENT APPROACH PROCEDURE

Bearings, headings, courses and radials are magnetic. Elevations and altitudes are in feet, MSL. Ceilings are in feet above airport elevation. Distances are in nautical miles unless otherwise indicated, except visibilities which are in statute miles.
If a radar instrument approach is conducted at the below named airport, it shall be in accordance with the following instrument procedure, unless an approach is conducted in accordance with a different procedure for such airport authorized by the Administrator of the Federal Aviation Agency. Initial approaches shall be made over specified routes. Minimum altitude(s) shall correspond with those established for en route operation in the particular area or as set forth below. Positive identification must be established with the radar controller. From initial contact with radar to final authorized landing minimums, the instructions of the radar controller are mandatory except when (A) visual contact is established on final approach at or before descent to the authorized landing minimums, or (B) at pilot's discretion if it appears desirable to discontinue the approach, except when the radar controller may direct otherwise prior to final approach, a missed approach shall be executed as provided below when (A) communication on final approach is lost for more than 5 seconds during a precision approach, or for more than 30 seconds during a surveillance approach; (B) directed by radar controller; (C) visual contact is not established upon descent to authorized landing minimums; or (D) if landing is not accomplished.

Transition				Ceiling and visibility minimums			
From—	To—	Course and distance	Minimum altitude (feet)	Condition	2-engine or less		More than 2-engine, more than 65 knots
					65 knots or less	More than 65 knots	
All sectors		Within 15 miles	2500'	Surveillance approach			
				T-dn	300-1	300-1	300-1
				C-dn-17, 35	600-1	600-1	600-1½
				S-dn-17, 35	400-1	400-1	400-1
				A-dn	800-2	800-2	800-2
				Precision approach			
				T-dn	300-1	300-1	300-1
				C-dn-17, 35	600-1	600-1	600-1½
				S-dn-17, 35	200-½	200-½	200-½
				A-dn	600-2	600-2	600-2

If visual contact not established upon descent to authorized landing minimums or if landing not accomplished—
Runway 17: Make a right climbing turn to 2500' on crs 266° to MYS VOR. Hold NE 1-minute right turns, 212° Inbnd.
Runway 35: Climb to 2500' on crs 266° to MYS VOR. Hold NE 1-minute right turns, 212° Inbnd.
NOTE: Authorized for military use only except by prior arrangement.

City, Fort Knox; State, Ky.; Airport Name, Godman AAF; Elev., 753'; Fac. Class. and Ident., Fort Knox Radar; Procedure No. 1, Amdt. 3; Eff. Date, 19 Sept. 64; Sup. Amdt. No. 2; Dated, 27 Oct. 62

RADAR STANDARD INSTRUMENT APPROACH PROCEDURE—Continued

Transition				Ceiling and visibility minimums			
From—	To—	Course and distance	Minimum altitude (feet)	Condition	2-engine or less		More than 2-engine, more than 65 knots
					65 knots or less	More than 65 knots	
All directions	Radar site	Within 20 miles	2000	Surveillance approach			
				T-dn	300–1	300–1	200–½
				C-dn	400–1	500–1	500–1½
				S-dn-17/35	400–1	400–1	400–1
				S-dn-31*	400–1	400–1	400–1
				S-dn-13%*	400–1	400–1	400–1
				A-dn	800–2	800–2	800–2

All bearings and distances are from radar site. Radar control must provide 1000′ clearance when within 3 miles 1221′ radio towers 5 miles N; 1743′ TV tower 12 miles WSW 2349′ TV towers 14.0 miles SSE.
If visual contact not established upon descent to authorized landing minimums or if landing not accomplished—
Runways 13 and 17: Turn right, climb to 2000′ on crs 190° within 20 miles.
Runways 35 and 31: Turn left, climb to 2000′ on crs 300° within 20 miles.
*400–¾ authorized, except for turbojet aircraft, with operative high-intensity runway lights.
%400–½ authorized, except for turbojet aircraft, with operative ALS and high-intensity runway lights.

City, Fort Worth; State, Tex.; Airport Name, Greater Southwest International—Dallas-Fort Worth Field; Elev., 568′; Fac. Class. and Ident., Fort Worth Radar; Procedure No. 1, Amdt. 3; Eff. Date, 19 Sept. 64; Sup. Amdt. No. 2; Dated, 28 Dec. 63

340°	160°	10 miles	1500	Surveillance approach			
161°	339°	10 miles	1900				
0°	360°	15 miles	*2000	T-dn	300–1	300–1	200–½
0°	360°	30 miles	*2300	C-dn	500–1	600–1	600–1½
				S-dn-4, 22, 32, 35	500–1	500–1	500–1
				A-dn	800–2	800–2	800–2

*Radar control will provide 1000′ vertical clearance within a 3-mile radius of tower 2215′ 14 miles WNW and tower 2349′ 16 miles S of airport.
If visual contact not established upon descent to authorized landing minimums or if landing not accomplished, proceed direct to LIT–VOR, climbing to 2000′, or when directed by ATC, proceed direct to the LI LOM climbing to 2000′.

City, Little Rock; State, Ark.; Airport Name, Adams Field; Elev., 257′; Fac. Class. and Ident., Little Rock Radar; Procedure No. 1, Amdt. 2; Eff. Date, 19 Sept. 64; Sup. Amdt. No. 1; Dated, 12 Oct. 63

All directions		Within 30 miles	5500	Surveillance approach			
				T-dn*	300–1	300–1	200–½
				C-dn	600–1	600–1	600–1½
				S-dn-30L#	600–1	600–1	600–1
				S-dn-12R	500–1	500–1	500–1
				A-dn	800–2	800–2	800–2

If visual contact not established upon descent to authorized landing minimums or if landing not accomplished—
Runway 30L: Climb to 2000′ on the SJC VOR R-308 within 15 miles or, when directed by ATC, climb to 2000′ on 302° crs from the SJC ILS LMM within 15 miles.
Runway 12R: Make left climbing turn, climb to 2000′ on the SJC VOR R-308 within 15 miles or, when directed by ATC, make left climbing turn, climb to 2000′ on 302° crs from the SJC ILS LMM within 15 miles.
AIR CARRIER NOTES: 1. Reduction in visibility by sliding scale not authorized for landing on Runway 30L. 2. Reduction in visibility by sliding scale or local conditions not authorized for takeoff on Runway 12R/L.
*400–1 required for takeoff on Runway 12L–R.
#1300′ required at 4-mile radar fix.

City, San Jose; State, Calif.; Airport Name, San Jose Municipal; Elev., 56′; Fac. Class. and Ident., Moffett Radar; Procedure No. 1, Amdt. 6; Eff. Date, 19 Sept. 64; Sup. Amdt. No. 5; Dated, 25 July 64

All directions	Radar site	Within 30 miles*	2500	T-dn	300–1	300–1	#200–½
				C-dn	##400–1	500–1	500–1½
				S-dn-26	##400–1	400–1	400–1
				S-dn-17L	%400–1	400–1	400–1
				S-dn-35R	%@400–1	400–1	400–1
				A-dn	800–2	800–2	800–2

If visual contact not established upon descent to authorized landing minimums or if landing not accomplished—
Runway 26: Turn right and climb to 2500′ on R–288 TUL VOR within 10 miles or, when directed by ATC, turn left and climb to 2500′ on R–237 TUL VOR.
Runway 35R: Climb to 2500′ on R–357 TUL VOR within 10 miles or, when directed by ATC, turn right and climb to 2500′ on R–035 TUL VOR within 10 miles.
Runway 17L: Turn right and climb to 2500′ on R–219 TUL VOR within 10 miles or, when directed by ATC, turn left and climb to 2500′ on R–113 TUL VOR within 10 miles.
*All bearings and distances from radar site. Radar control will provide 1000′ vertical clearance within 3-mile radius of TV/radio towers 9.9 miles W 2147′ and 19.5 miles SSE 1701′.
#300–1 required on Runways 3L, 17R, 35L, 21R.
##500–1 required when straight-in approaches made to Runway 26, until position is established over 910′ stack 3.0 miles E.
%400–¾ authorized, except for turbojet aircraft, with operative high-intensity runway lights.
@400–½ authorized, except for turbojet aircraft, with operative ALS and high-intensity runway lights.

City, Tulsa; State, Okla.; Airport Name, Tulsa Municipal; Elev., 674′; Fac. Class. and Ident., Tulsa Radar; Procedure No. 1, Amdt. 3; Eff. Date, 19 Sept. 64; Sup. Amdt. No. 2; Dated, 27 Oct. 62

These procedures shall become effective on the dates specified therein.

(Secs. 307(c), 313(a), and 601, of the Federal Aviation Act of 1958; 49 U.S.C. 1348(c), 1354(a), 1421; 72 Stat. 749, 752, 775)

Issued in Washington, D.C., on August 13, 1964.

G. S. MOORE,
Director, Flight Standards Service.

[F.R. Doc. 64–8398; Filed, Sept. 16, 1964; 8:45 a.m.]

Title 7—AGRICULTURE

Chapter III—Agricultural Research Service, Department of Agriculture

[P.P.C. 485, 4th Rev.]

PART 301—DOMESTIC QUARANTINE NOTICES

Subpart—White-Fringed Beetle

EXEMPTION OF CERTAIN ARTICLES FROM SPECIFIED REQUIREMENTS

Pursuant to the authority contained in § 301.72(b)(2)(ii) of the white-fringed beetle quarantine (Notice of Quarantine No. 72, 7 CFR 301.72), under sections 8 and 9 of the Plant Quarantine Act of 1912, as amended, and section 106 of the Federal Plant Pest Act (7 U.S.C. 161, 162, 150ee), the administrative instructions appearing as 7 CFR 301.72a are hereby amended to read as follows:

§ 301.72a Administrative instructions exempting certain articles from requirements of regulations.

The following articles are exempted from the certification and permit requirements of §§ 301.72–3, 301.72–4, and 301.72–6, except as otherwise provided in this section and under specific conditions hereinafter set forth.

(a) The following articles when they have not been exposed to infestation or when sanitation practices are maintained as prescribed by or to the satisfaction of the inspector:

(1) Hay and straw, except that peanut hay is not exempt.

(2) Uncleaned grass, grain, and legume seed.

(3) Seed cotton and cottonseed.

(b) The following articles when they have not been exposed to infestation or when sanitation practices are maintained as prescribed by or to the satisfaction of the inspector; and when such articles are free of soil or when the storage yard and premises or environs thereof, from which the articles are to be moved, have been surface treated with an insecticide at administratively approved dosages and at intervals prescribed by the inspector:

(1) Brick, tile, stone; concrete slabs, pipe, building blocks; and cinders.

(2) Forest products, such as cordwood, stump wood, logs, lumber, timbers, posts, poles, and cross ties.

(c) Soil samples moved from any area that is not infested with soybean cyst nematode, golden nematode, or witchweed when consigned to any State: *Provided, however,* That such samples originating in areas under regulation on account of the burrowing nematode may not be shipped into the States of Arizona, California, Louisiana, and Texas: *And provided further,* That:

(1) The samples do not exceed one pound in weight: *Provided, however,* That this shall not preclude the assembly of one pound units in a single package for shipping purposes;

(2) They are so packaged that no soil will be spilled in transit; and

(3) They are consigned to laboratories approved by the Director of the Plant Pest Control Division and operating under a dealer-carrier agreement.

(Sec. 9, 37 Stat. 318, sec. 106, 71 Stat. 33; 7 U.S.C. 162, 150ee. Interprets or applies sec. 8, 37 Stat. 318, as amended; 7 U.S.C. 161; 19 F.R. 74, as amended; 7 CFR 301.72)

These administrative instructions shall become effective September 17, 1964, when they shall supersede P.P.C. 485, 3d Revision, 7 CFR 301.72a, effective September 20, 1963.

The Director of the Plant Pest Control Division has found that facts exist as to the pest risk involved in the movement of soil samples weighing one pound or less under specified conditions which make it safe to relieve the certification and permit requirements with respect to such movement. Accordingly, this revision of the administrative instructions adds paragraph (c) to the list of exempted items, thereby permitting soil samples weighing one pound or less to move from certain areas without a certificate or limited permit when adequately packaged and consigned to laboratories approved by the Director of the Plant Pest Control Division which are operating under a dealer-carrier agreement. The Director has also found that facts no longer exist which make it safe to relieve the certification and permit requirements with respect to Irish potatoes when freshly harvested from certain areas in Alabama and Florida. Therefore, the revision reinstates the certification and permit requirements with respect to Irish potatoes moved from all infested areas, thereby requiring Irish potatoes to be certified, prior to being moved from such areas, on the basis of insecticidal treatment of the fields or fumigation of the potatoes. The Director has previously found that it is safe to exempt the other articles listed in these administrative instructions from the certification and permit requirements; consequently, such other articles have been included in the present list of exemptions.

To the extent that this revision relieves restrictions presently imposed, it should be made effective promptly in order to be of maximum benefit to persons desiring to ship the article which is being exempted from the certification and limited permit requirements of the regulations. To the extent that this revision reinstates restrictions with respect to another article, it should be made effective promptly in order to prevent the spread of white-fringed beetles. Accordingly, under section 4 of the Administrative Procedure Act (5 U.S.C. 1003), it is found upon good cause that notice and other public procedure with respect to this revision are impracticable and contrary to the public interest, and good cause is found for making this revision effective less than 30 days after publication in the FEDERAL REGISTER.

Done at Hyattsville, Md., this 11th day of September 1964.

[SEAL] E. D. BURGESS,
Director,
Plant Pest Control Division.

[F.R. Doc. 64–9427; Filed, Sept. 16, 1964; 8:47 a.m.]

[P.P.C. 618, 4th Rev.]

PART 301—DOMESTIC QUARANTINE NOTICES

Subpart—White-fringed Beetle

REGULATED AREAS

Pursuant to the authority contained in § 301.72–2 of the regulations supplemental to the white-fringed beetle quarantine (7 CFR 301.72–2), under sections 8 and 9 of the Plant Quarantine Act of 1912, as amended (7 U.S.C. 161, 162), the administrative instructions appearing as 7 CFR 301.72–2a are hereby revised to read as follows:

§ 301.72–2a Administrative instructions designating regulated areas under the white-fringed beetle quarantine and regulations.

The following counties, parishes and other minor civil divisions, or parts thereof, in the quarantined States listed below, are designated as white-fringed beetle regulated areas within the meaning of the provisions in this subpart:

ALABAMA

(a) *Generally infested area.*

Baldwin County. The entire county.

Blount County. Secs. 1, 2, 3, 4, 5, and 6, T. 13 S., R. 1 W.; secs. 19, 20, 21, 22, 23, 24, 25, 26, 27, 28, 29, 30, 31, 32, 33, 34, 35, and 36 T. 12 S., R. 1. W.; secs. 21, 22, 23, 26, 27, and 35, and those portions of secs. 28, 33, and 34, T. 14 S., R. 1 W. lying in Blount County.

Butler County. That portion of the county lying in the south ⅓ of T. 7 N., R. 13 E., and that area lying within the corporate limits of the city of Georgiana.

Choctaw County. The entire county.

Clarke County. That portion of Clarke County lying south of the south line of the N⅛ of T. 9 N.

Coffee County. That part of the county lying south of the north line of T. 5 N.

Conecuh County. The entire county.

Covington County. The entire county.

Crenshaw County. That portion of the county lying south of the north line of T. 7 N.; secs. 3, 4, 5, and 6, T. 8 N., R. 18 E., including all of the town of Luverne; secs. 27, 28, 29, 30, 31, 32, 33, and 34, T. 9 N., R. 18 E.

Cullman County. That portion of the county lying in secs. 15, 16, 17, 18, 19, 20, 21, 22, 27, 28, 29, 30, 31, 32, 33, and 34, T. 9 S., R. 3 W.

Dale County. That part of the W½ T. 4 N., R. 26 E. lying in Dale County, and secs. 25 and 36, T. 4 N., R. 25 E.; secs. 1 and 12, T. 3 N., R. 23 E.; and all the area within the corporate limits of Ozark and Ariton.

Dallas County. Tps. 13, 14, 15, 16, and 17 N., Rs. 10 and 11 E.; N½ of T. 15 N., Rs. 7, 8, and 9 E.; and that portion of the N⅛ T. 15 N., R. 6 E. lying in Dallas County; T. 16 N., Rs. 7, 8, and 9 E.

Elmore County. Secs. 11, 12, 13, 14, 23, and 24, T. 18 N., R. 21 E.; and that part of secs. 7, 18, and 19, T. 18 N., R. 22 E. lying west of the Tallapoosa River; secs. 10, 11, 14, and 15 T. 19 N., R. 20 E.; secs. 20 and 21, T. 18 N., R. 19 E.; and that portion of the county lying west of the Coosa and/or Alabama Rivers.

Escambia County. The entire county.

Geneva County. The entire county.

Houston County. All of Houston County lying west of the west line of R. 29 E. and R. 9 W.

Jefferson County. The entire county.

Lowndes County. S½ T. 12 N., R. 15 E.; SW¼ T. 12 N., R. 16 E.; and Tps. 13 and 14 N., Rs. 12 and 13 E.

Mobile County. The entire county.

Monroe County. The entire county.

Montgomery County. That portion of the county lying north of the south line of T. 15 N.

Morgan County. That portion of the county lying in secs. 1, 2, 3, 10, 11, 12, 13, 14, 15, 22, 23, and 24, T. 7 S., R. 4 W.

Sumter County. Those portions of Tps. 16 and 17 N., R. 1 W. lying in Sumter County; Tps. 16 and 17 N., R. 2 W.; and that portion of the county lying west of the east line of R. 3 W., and south of the north line of T. 19 N.

Talladega County. That portion of the county lying east of the west line of R. 5 E., and north of the south line of T. 18 S., and secs. 2, 3, 4, 5, and 6, T. 19 S., R. 5 E.

Tuscaloosa County. That portion of the county lying in T. 21 and 22 S., located east of the west line of R. 10 W., and that portion lying within T. 20 S., Rs. 5 and 6 W., and that portion lying within T. 24 N., R. 3 E.

Washington County. The entire county.

Wilcox County. Secs. 18 and 19, T. 12 N., R. 11 E.; N½ T. 10 N., Rs. 6, 7, 8, 9, 10, and 11 E.; T. 11 N., Rs. 8, 9, 10, and 11 E.; T. 12 N., Rs. 9 and 10 E.; that part of T. 12 N., R. 8 E., portions of T. 13 N., Rs. 8 and 9 E., lying east of the Alabama River and south of Pine Barren Creek; S½ of T. 11 N., Rs. 6 and 7 E., and all of the area within the corporate limits of Pine Hill.

(b) *Suppressive area.*

Autauga County. That portion of the county lying within Tps. 17, 18, 19, and 20 N., R. 16 E.; and those portions of secs. 2 and 3, T. 16 N., R. 16 E. lying north of the Alabama River; and secs. 23, 24, 25, 26, 35, and 36, T. 20 N., R. 15 E.

Bibb County. Secs. 21 and 29, and those portions of secs. 9, 16, 17, 19, 20, and 30, T. 21 S., R. 6 W. lying within Bibb County.

Bullock County. That portion of the county lying within sec. 4, T. 14 N., R. 26 E.

Calhoun County. Secs. 22, 23, 26, 27, and 35, and those portions of secs. 20, 21, 28, and 34, T. 16 S., R. 6 E., lying within Calhoun County; and secs. 17, 18, 19, and 20, T. 13 S., R. 10 E.

Chambers County. Secs. 7, 8, 9, 16, 17, 18, 19, 20, and 21, T. 22 N., R. 26 E.; secs. 18 and 19, T. 22 N., R. 27 E.; secs. 3, 4, 5, 6, 7, 8, 9, and 10, T. 23 N., R. 27 E.; and secs. 27, 28, 29, 30, 31, 32, 33, and 34, T. 24 N., R. 27 E.

Chilton County. Secs. 1, 12, 13, and 24, T. 22 N., R. 13 E.; secs. 1, 2, and 3, T. 21 N., R. 14 E.; secs. 2, 3, 4, 5, 6, 7, 8, 9, 10, 11, 14, 15, 16, 17, 18, 19, 20, 21, 22, 23, 25, 26, 27, 34, 35, and 36, T. 22 N., R. 14 E.; secs. 2, 3, 10, 11, 14, and 15, T. 20 N., R. 16 E., and those portions of secs. 1, 12, and 13, T. 20 N., R. 16 E. lying in Chilton County.

De Kalb County. That portion of the county lying in secs. 4, 5, 8, and 9, T. 7 S., R. 9 E.

Henry County. All of the area lying within the corporate limits of the city of Headland.

Lee County. That portion of the county lying in secs. 7, 18, 19, 30, and 31, T. 19 N., R. 27 E.; and secs. 8, 9, 10, 11, 12, 13, 14, 15, 16, 17, 20, 21, 22, 23, 24, 25, 26, 27, 28, 29, 32, 33, 34, 35, and 36, T. 19 N., R. 26 E.

Macon County. Secs. 4, 5, 6, 7, 8, 9, 16, 17, and 18, T. 18 N., R. 23 E.

Madison County. All of the area within the corporate limits of the city of Huntsville; secs. 7, 8, 9, 10, 15, 16, 17, 18, 21, and 22, T. 3 S., R. 1 E.; and that portion of sec. 20, T. 3 S., R. 1 E. lying outside the corporate limits of Huntsville; and sec. 9 and those portions of secs. 10, 11, 12, 13, 15, and 16, T. 3 S., R. 1 W., lying outside the corporate limits of Huntsville.

Marengo County. Secs. 28, 29, 30, 31, 32, and 33, T. 16 N., R. 3 E.; and secs. 4, 5, 6, 7, 8, and 9, T. 15 N., R. 3 E.

Marshall County. That portion of the county lying within the corporate limits of the cities of Arab and Guntersville.

Perry County. Secs. 23, 24, 25, and 26, T. 19 N., R. 7 E.

Russell County. That portion of the county lying within secs. 25, 26, 27, 34, 35, and 36, T. 15 N., R. 26 E.; and secs. 1, 2, and 3, T. 14 N., R. 26 E.

Shelby County. Secs. 35 and 36, T. 20 S., R. 3 W.; and secs. 1 and 2, T. 21 S., R. 3 W.

St. Clair County. Secs. 24, 25, and 36, T. 14 S., R. 1 E.; secs. 19, 20, 21, 22, 23, 26, 27, 28, 29, 30, 31, 32, 33, 34, and 35, T. 14 S., R. 2 E.

Tallapoosa County. Secs. 4, 5, 6, 7, 8, 9, 16, 17, 18, 19, 20, and 21, T. 21 N., R. 23 E., including all of the town of Dadeville; that portion of the county lying south of the north line of T. 18 N., R. 22 E., and the south ½ of T. 19 N., Rs. 22 and 23 E. lying in Tallapoosa County.

Walker County. Secs. 2, 3, 4, 9, 10, 11, 15, and 16, and that portion of sec. 14, T. 15 S., R. 5 W., lying in Walker County.

ARKANSAS

(a) *Generally infested area.* None.

(b) *Suppressive area.*

Craighead County. Secs. 11, 12, 13, 14, 23, 24, 25, and 36, T. 14 N., R. 3 E.; secs. 1, 2, and 3, T. 13 N., R. 4 E.; secs. 7, 8, 9, 10, 11, 14, 15, 16, 17, 18, 19, 20, 21, 22, 23, 25, 26, 27, 28, 29, 30, 34, 35, and 36, T. 14 N., R. 4 E., including all of the town of Jonesboro.

Greene County. Secs. 1, 2, 11, and 12, T. 16 N., R. 5 E.; secs. 25, 26, 27, 28, 29, 30, 31, 32, 33, 34, 35, and 36, T. 17 N., R. 5 E.; secs. 4, 5, 6, 7, 8, and 9, T. 16 N., R. 6 E.; secs. 28, 29, 30, 31, 32, and 33, T. 17 N., R. 6 E., including all of the town of Paragould.

Mississippi County. Secs. 2, 3, 9, 10, 11, 13, 14, 15, 16, 17, 20, 21, 22, 23, and that portion of secs. 4 and 8 lying outside of the Blytheville Air Force Base, T. 15 N., R. 11 E.; sec. 18, T. 15 N., R. 12 E., including all of the town of Blytheville lying outside of the Blytheville Air Force Base.

Poinsett County. Secs. 2, 3, 4, 9, 10, and 11, T. 11 N., R. 7 E.; secs. 33, 34, and 35, T. 12 N., R. 7 E., including all of the town of Lepanto.

St. Francis County. Secs. 3, 4, 5, and 6, T. 4 N., R. 3 E.; secs. 16, 17, 20, 21, 22, 26, 27, 28, 29, 31, 32, 33, 34, and 35, T. 5 N., R. 3 E., including all of the town of Forrest City.

FLORIDA

(a) *Generally infested area.*

Bay County. Tps. 1 and 2 S., R. 12 W.; and that area bounded by a line beginning at the northwest corner of sec. 1, T. 3 S., R. 14 W.; thence east along the northern line of T. 3 S. to the eastern line of R. 13 W.; thence south along this line to East Bay; thence westerly along the East Bay shoreline to the DuPont Bridge and along the St. Andrews Bay shoreline to the Hathaway Bridge; thence northerly and easterly along the North Bay shoreline to the point of beginning.

Calhoun County. That portion of the county lying east of the Chipola River.

Escambia County. The entire county.

Gadsden County. The entire county.

Holmes County. The entire county.

Jackson County. The entire county.

Jefferson County. Secs. 1, 2, 3, 4, 9, 10, 11, 12, 13, 14, 15, and 16, T. 1 S., R. 4 E.

Leon County. S2/3 of T. 1 N., Rs. 1 W. and 1 E. and N1/3 of T. 1 S., Rs. 1 W. and 1 E.; and secs. 24, 25, 26, T. 1 N., R. 2 W. and that portion of sec. 23, T. 1 N., R. 2 W. lying in Leon County, including all of the corporate limits of the city of Tallahassee.

Liberty County. That portion of the county lying west of the east line of R. 7 W.

Okaloosa County. The entire county.

Santa Rosa County. The entire county.

Walton County. That part of the county lying north of the south line of T. 3 N.

Washington County. That part of the county lying east of the west line of R. 14 W. and north of the S½ of T. 2 N., Rs 12, 13, and 14 W.

(b) *Suppressive area.* None.

GEORGIA

(a) *Generally infested area.*

Baldwin County. That area included within the corporate limits of the city of Milledgeville and that area south of Milledgeville bounded on the north by the Milledgeville city limits, on the east by the Oconee River, on the south by Camp Creek, and on the west by U.S. Highway 441; and an area 1 mile wide beginning at the north corporate limits of Milledgeville extending northerly along U.S. Highway 441 with said highway as a center line to Tabler Creek.

Ben Hill County. That portion of the county in Fitzgerald Georgia Militia District 1537 and Ashton Georgia Militia District 1659.

Bibb County. The entire county.

Bleckley County. That area included within the corporate limits of the city of Cochran; and that portion of the Georgia Militia District of Manning included within a boundary beginning at the intersection of Georgia State Highway 112 and the Bleckley-Twiggs County line, thence northeast along said county line to the intersection of the Bleckley, Twiggs, Wilkinson, and Laurens County lines, thence southeast for a distance of 1 mile along the Bleckley-Laurens County line, and thence northwest to the point of beginning.

Bulloch County. All of that portion of the county west of U.S. Highway 25 from the Jenkins County line to the city limits of Statesboro and north of the Central of Georgia Railroad from the Candler County line to the city limits of Statesboro, and the area not already described within a circle having a radius of 4 miles with center at the Bulloch County Courthouse at Statesboro.

Burke County. That area, comprising parts of Georgia Militia Districts 60 and 62, bounded on the east by Fitz Branch; on the south by a line beginning at the intersection of Fitz Branch and State Highway 24 and extending due west to the intersection of Hephzibah Road and Highway 56; on the west by Hephzibah Road to Brier Creek; and on the north by Brier Creek, including all of the city of Waynesboro.

Candler County. All of Metter Georgia Militia District 1685 and an area 1 mile wide with Georgia Highway 46 as a center line, extending from the east boundary of Georgia Militia District 1685 to the Candler-Bulloch County line, including all of the town of Pulaski.

Clayton County. Georgia Militia Districts 548, 1446, and that portion of Georgia Militia District 1644 excluding the Atlanta General Depot.

Cobb County. All of the area in Georgia Militia District 898 east of a line beginning at the intersection of Georgia Highway No. 3 and the south boundary of Georgia Militia District 898, extending north along said highway to its intersection with Georgia Highway No. 5, and extending northeast along Georgia Highway No. 5 to its intersection with the north boundary of Georgia Militia District 898.

Coffee County. That area included within the corporate limits of the city of Douglas; and that area bounded on the west by a line projected due northward from the west intersection of Highway 32 and the city limits of Douglas to the Seventeen Mile Creek; thence east and southeast along Seventeen Mile Creek to its intersection with U.S. Highway 221, and the proposed Highway F105–1; thence along the proposed Highway F105–1 to its intersection with State Highway 32; thence westward along State Highway 32 to its intersection with the city limits of Douglas.

That area included within a circle having a 2-mile radius with the center at the Atlanta, Birmingham, and Coast Railroad Depot in Ambrose, including all of the town of Ambrose.

An area 3 miles wide beginning at the north city limits of Broxton extending along

U.S. Highway 441 with said highway as a center line to and bounded on the north by Culley Creek.

Coweta County. That area included within a circle having a 2-mile radius and center at the Newnan town square.

Crawford County. The lower half of the county lying southeast of U.S. Highway 80 and the adjoining area within a circle having a radius of 1½ miles with cener at the intersection of U.S. Highways 80 and 341 at Roberta.

Crisp County. That portion of Listonia Georgia Militia District 1040 north of Cemetery Road (Secondary route S–533); that area within a circle with a 1-mile radius with center at the intersection of Cedar Creek and the Albany and Northern Railroad; and that area within a circle having a 2-mile radius with center at the intersection of U.S. Highways 41 and 280 at Cordele.

Decatur County. That portion of the county included in Recovery Georgia Militia District 1325, Faceville Georgia Militia District 914, and that part of Bainbridge Georgia Militia District 513 west of State Highway 309 and south of U.S. Highway 84 bypass.

Dodge County. That area within a circle having a radius of 5 miles with center at the intersection of U.S. Highways 341 and 23 at Eastman.

Dooly County. The entire county.

Fulton County. That area included within the corporate limits of the city of East Point.

An area bounded by a line beginning at the intersection of Simpson Street and Ashby Street extending eastward along Simpson Street to its intersection with U.S. Express Highway 41 (Northside Drive), thence southward along said highway to its intersection with Whitehall Street, thence eastward along Whitehall Street to its intersection with the Southern Railroad, thence southward along said railroad to its intersection with the Atlanta and West Point Railroad, thence westward along said railroad to its intersection with Stewart Avenue, thence northward along Stewart Avenue to its intersection with Glenn Street, thence westward along Glenn Street to its intersection with Gordon Street, thence westward along Gordon Street to its intersection with Ashby Street thence northward along Ashby Street to the point of beginning.

An area bounded by a line beginning at the intersection of Northside Drive and the Southern Railroad, extending northeastward along said railroad to its intersection with Peachtree Street, thence southeastward along Peachtree Street to its intersection with West Peachtree Street, thence south along West Peachtree Street to its intersection with Tenth Street, thence westward along Tenth Street to its intersection with Hemphill Avenue, thence northwest along Hemphill Avenue to its intersection with Northside Drive, thence northward along Northside Drive to the point of beginning, including the remaining portion of Georgia Militia District 469.

Greene County. All of the area in Georgia Militia Districts 142, 143, and 163; and all of the area within the corporate limits of Penfield.

Hancock County. All of the area in Georgia Militia District 116.

That area within a circle having a radius of 1½ miles with the courthouse at Sparta as center.

Houston County. The entire county.

Irwin County. The entire county.

Jasper County. All of the area in Georgia Militia Districts 262, 289, 293, 295, 365, and 379 and the portions of Georgia Militia Districts 288 and 291 lying south of White Oak and Murder Creeks; and that area included within a circle with a 1-mile radius with center at the intersection of Georgia Highways 83 and 142.

Jefferson County. That area included within the corporate limits of the city of Louisville; and that area included within a circle having a 1-mile radius and center at the Central of Georgia Railway depot in Bartow, including all of the town of Bartow.

That area within a circle having a radius of 1 mile with the intersection of secondary routes S–791 and S–2138 as center.

Johnson County. All of the area in Wrightsville Georgia Militia District 1201, including the city of Wrightsville.

Lamar County. That area within the corporate limits of the city of Barnesville.

Laurens County. Those portions of the Georgia Militia Districts of Dublin, Dudley, and Harvard included within an area 2 miles wide beginning at the west corporate limits of Dublin and extending northwesterly along the Macon, Dublin and Savannah Railroad with said railroad as a centerline to the Laurens-Wilkinson and Laurens-Bleckley County lines including all of the towns of Dudley and Montrose and that portion of Allentown lying in Laurens County; that area included within the corporate limits of the city of Dublin; an area 2 miles wide beginning at the north corporate limits of Dublin and extending northward along Georgia State Highway 29 with said highway as a centerline for a distance of 3 miles; and that portion of the Georgia Militia District of Smith lying north of the Macon, Dublin and Savannah Railroad and east of Shaddock Creek.

Macon County. All of the area lying north of Toteover Creek and east of the Flint River; and that area included within the corporate limits of the city of Oglethorpe.

Meriwether County. All of the area in Georgia Militia District 669.

Monroe County. That area within a circle having a radius of two miles with the County Courthouse at Forsyth as center.

Montgomery County. The entire county.

Newton County. That area included within a circle having a 1-mile radius and center at the Porterdale High School, including all of the town of Porterdale; all of the area in the city of Covington; and that area included within a circle having a radius of 1 mile with center at High Point Church on Georgia Highway 36.

Peach County. The entire county.

Putnam County. All of Ashbank Georgia Militia District 389 and that portion of Eatonton Georgia Militia District 368 lying east of U.S. Highway 129, including all of the town of Eatonton.

Richmond County. That portion of the county lying north of Butler Creek.

Screven County. That area included within a circle having a 2-mile radius and center at the Screven County Courthouse in Sylvania, including all of the city of Sylvania.

Seminole County. All of the area in Georgia Militia Districts 1046 and 1430, and all of the area within the corporate limits of the town of Donalsonville.

Sumter County. All of the area within the Georgia Militia District 789.

Talbot County. All of the area in Georgia Militia Districts 681, 685, 689, 894, 902, and 904.

Taylor County. That area bounded by a line beginning at a point where U.S. Highway 19 intersects Flint River, and extending south and east along said river to its intersection with the Macon County line, thence south and west along the Taylor-Macon County line to its intersection with Whitewater Creek, thence northwest along Whitewater Creek to the mouth of Black Creek, thence due north on a line projected from said point to its intersection with Patsiliga Creek, a distance of three miles, thence east along Patsiliga Creek to its intersection with U.S. Highway 19, thence north along said highway to the point of beginning.

Toombs County. The entire county.

Treutlen County. All of the area in Soperton Georgia Militia District 1386 west of a line beginning at the intersection of Pendleton Creek and U.S. Highway 221 and extending southwestward along said highway to its intersection with State Highway 227, thence southward along State Highway 227 to its intersection with Georgia Highway 46, thence southeastward along Georgia Highway 46 to its intersection with a county road at Zaidee, thence southward along said county road to its intersection with the Treutlen-Montgomery County line.

Troup County. All of the area in Georgia Militia Districts 655 and 700.

Turner County. An area 2 miles wide with U.S. Highway 41 and State Highway 7 as centerline, beginning at the north and northwest boundaries of Ashburn Georgia Militia District 1624 and extending south to a line ½ mile south of Sycamore, including all of the towns of Ashburn and Sycamore.

An area one mile wide with Georgia Highway 32 as centerline beginning at Hat Creek and extending east to Culley Branch.

An area one mile wide with State Highway 159 as centerline and extending northeastward along State Highway 159 from Deep Creek for a distance of 2 miles, including the town of Amboy.

Twiggs County. All of the county east of U.S. Highway 23.

Upson County. That area within a circle having a three-mile radius with the center at the county courthouse in Thomaston.

Washington County. All of Washington County excluding Georgia Militia Districts 88, 90, 92, 96, 98, and 99.

Wheeler County. That area included within a circle having a 2-mile radius with the center at the intersection of U.S. Highway 280 and State Highway 126 at Alamo; and an area 2 miles wide beginning at the east corporate limits of Alamo and extending east and southeast for 6 miles along State Highway 126 with said highway as a centerline.

Wilkinson County. That portion of the county consisting of Turkey Creek Georgia Militia District 353.

(b) *Suppressive area.*

Berrien County. That area included within the corporate limits of the city of Nashville.

Calhoun County. All of the area in Georgia Militia District 626.

Colquitt County. That area included in the corporate limits of the town of Norman Park and an area two miles wide with State Highway 256 as the centerline beginning at the north town limits of Norman Park and extending north for one mile.

Emanuel County. That area included within a circle having a 1½-mile radius and center at the Union Grove Methodist Church in Georgia Militia District 49.

McDuffie County. An area 2 miles wide beginning at the McDuffie-Jefferson County line and extending northward along U.S. Highway 221 and State Secondary Route S–801 to Iron Hill Church, with said highways as centerline.

Randolph County. That area bounded on the north, east, south, and west by lines parallel to and ½ mile beyond the Cuthbert city limits, including all the city of Cuthbert.

LOUISIANA

(a) *Generally infested area.*

Jefferson Parish. That portion of the parish lying north of the south line of T. 15 S.

Orleans Parish. All of Orleans Parish, including the city of New Orleans.

Plaquemines Parish. T. 18 S., R. 27 E.; and all that portion of the parish lying north of the south line of T. 16 S.

Saint Bernard Parish. The entire parish.

St. Tammany Parish. The entire parish.

Washington Parish. The entire parish.

(b) *Suppressive area.*

Acadia Parish. Secs. 21, 22, 23, 26, 27, 28, 31, 32, 33, 34, 35, and 43, T. 9 S., R. 1 E.,

and those portions of secs. 20, 29, 30, and 44, T. 9 S., R. 1 E. lying south and east of Bayou Plaquemine Brule; secs. 3, 4, 5, 6, 7, 8, and 37, T. 10 S., R. 1 E.

East Baton Rouge Parish. All that portion of the parish lying within T. 7 S., Rs. 1 and 2 E., and 1 W.; that portion of the parish lying within T. 6 S., Rs. 1 E. and 1 W., south and west of U.S. Highway 190 (Airline Highway).

Lafayette Parish. Secs. 23, 24, 25, 26, and 29, T. 9 S., R. 3 E.; and secs. 19, 20, 29, 30, and 31, T. 9 S., R. 4 E.

Livingston Parish. Secs. 25, 26, 27, 28, 29, 30, 31, 32, 33, 34, 35, 36, 44, 45, 47, and 48, T. 6 S., R. 3 E.; secs. 3, 4, 5, 8, 9, 10, 15, 16, 17, 20, and 21, T. 6 S., R. 4 E.; secs. 13, 14, 15, 16, 17, 20, 21, 22, 23, 24, 25, 26, 27, 28, 29, 32, 33, 34, 35, 36, 38, 39, 40, and 41, T. 6 S., R. 5 E.; secs. 16, 17, 18, 19, 20, 21, 28, 29, 30, 31, 32, and 33, T. 6 S., R. 6 E.

St. Charles Parish. That portion of the parish lying between U.S. Highway 61 and the Mississippi River.

St. James Parish. That portion of the parish lying between U.S. Highway 61 and the Mississippi River.

St. John the Baptist Parish. All that portion of the parish lying between U.S. Highway 61 and the Mississippi River, and all of secs. 23, 24, 25, 26, 27, 28, 29, 30, 31, 32, 54, 55, 56, 59, 60, 61, and 62, T. 11 S., R. 7 E.

Tangipahoa Parish. Tps. 1, 2, 3, 4, and 5 S., R. 7 E.; that portion of Tps. 2 and 3 S., R. 9 E. lying within the parish; and that portion of the parish lying south of the north line of T. 6 S., and north of the south line of T. 7 S.

Union Parish. Secs. 19, 20, 29, 30, 31, and 32, T. 21 N., R. 1 E.; and secs. 24, 25, and 36, T. 21 N., R. 1 W.

MISSISSIPPI

(a) *Generally infested area.*

Amite County. W½ T. 1 N., R. 2 E.; SW¼ T. 2 N., R. 2 E.; NE¼ T. 3 N., R. 6 E.; and SE¼ T. 4 N., R. 6 E.

Clarke County. The entire county.

Copiah County. That portion of the N½ T. 1 N., R. 1 E. lying in Copiah County.

Covington County. The entire county.

De Soto County. That portion of T. 1 S., R. 6 W., lying in De Soto County; that portion of secs. 17 and 18, T. 1 S., R. 7 W., lying in De Soto County; and secs. 19, 20, 29, and 30, T. 1 S., R. 7 W.

Forrest County. The entire county.

George County. The entire county.

Greene County. The entire county.

Hancock County. The entire county.

Harrison County. The entire county.

Jackson County. The entire county.

Jasper County. The entire county.

Jefferson Davis County. The entire county.

Jones County. The entire county.

Kemper County. Sec. 36, T. 9 N., R. 17 E.; and sec. 31, T. 9 N., R. 18 E.

Lamar County. The entire county.

Lauderdale County. The entire county.

Lawrence County. The entire county.

Leake County. The entire county.

Lincoln County. Tps. 6 and 7 N., R. 9 E.

Marion County. The entire county.

Neshoba County. N½ T. 10 N., Rs. 11 and 12 E.; T. 11 N., Rs. 11 and 12 E.; S⅔ T. 12 N., R. 11 E.; secs. 7, 8, 17, 18, 19, and 20, T. 10 N., R. 10 E.; E½ T. 9 N., R. 12 E.; T. 9 N., R. 13 E.; and that portion of the corporate limits of the city of Union lying in Neshoba County.

Newton County. Tps. 5, 6, 7, and 8 N., R. 11 E.; W½ Tps. 5, 6, and 7 N., R. 12 E.; and T. 8 N., R. 12 E.

Pearl River County. The entire county.

Perry County. The entire county.

Pike County. The entire county.

Rankin County. T. 3 N., R. 5 E.

Scott County. W⅔ Tps. 7 and 8 N., R. 8 E. and Tps. 5 and 6 N., R. 6 E.

Simpson County. The entire county.

Smith County. The entire county.

Stone County. The entire county.

Walthall County. The entire county.

Wayne County. The entire county.

Wilkinson County. T. 1 N., R. 1 E. and S½ T. 2 N., R. 1 E.

(b) *Suppressive area.*

Adams County. That portion of the city of Natchez bounded by a line beginning at the intersection of Lower Woodville Road and the corporate limits of the city of Natchez and extending westward along the corporate limits of the city of Natchez to its intersection with the Natchez Southern Railroad, thence northeastward along said railroad to its junction with the Mississippi Central Railroad, thence southeastward along the Mississippi Central Railroad to its intersection with Homochitto Street, thence southward along said street to its junction with Lower Woodville Road, thence southwestward along said road to the point of beginning.

Attala County. Secs. 10, 11, 12, 13, 14, 15, 22, 23, 24, 25, and 26, T. 15 N., R. 6 E.; secs. 18, 19, and 30, T. 15 N., R. 7 E.; secs. 1, 2, 3, and 4, T. 13 N., R. 7 E.; T. 14 N., R. 7 E.; sec. 6, T. 13 N., R. 8 E.; secs. 4, 5, 6, 7, 8, 9, 16, 17, 18, 19, 30, and 31, T. 14 N., R. 8 E.; and secs. 26, 27, 28, 29, 30, 31, 32, 33, 34, and 35, T. 15 N., R. 8 E.

Choctaw County. Secs. 19, 20, 29, and 30, T. 17 N., R. 11 E.

Copiah County. Secs. 31, 32, 34, 35, and 36, T. 1 N., R. 2 W.; and N½ T. 10 N., R. 8 E.

Grenada County. Sec. 14 and E½ sec. 15, T. 21 N., R. 5 E.

Hinds County. Secs. 2, 3, 4, 9, 10, and 11, T. 7 N., R. 1 W.; secs. 3, 4, 5, 8, 9, 10, 15, 16, and 17, T. 4 N., R. 3 W.; T. 6 N., Rs. 2 and 3 W.; and that portion of Hinds County lying west of Pearl River bounded on the north by the south line of T. 7 N., on the west by the east line of R. 2 W., and on the south by the north line of T. 3 N.

Itawamba County. Secs. 23, 24, 25, 26, 35, and 36, T. 9 S., R. 8 E.; secs. 19, 20, 29, 30, 31, and 32, T. 9 S., R. 9 E.

Kemper County. Secs. 21, 22, 23, 24, 25, 26, 27, 28, 33, 34, 35, and 36, T. 11 N., R. 16 E.; secs. 4, 5, and 6, T. 9 N., R. 18 E.; and SW¼ T. 10 N., R. 18 E.

Lafayette County. Secs. 15, 16, 17, 18, 19, 20, 21, 22, 27, 28, 29, 30, 31, 32, 33, and 34, T. 8 S., R. 3 W.; secs. 13, 24, 25, and 36, T. 8 S., R. 4 W.; secs. 3, 4, 5, and 6, T. 9 S., R. 3 W.; and sec. 1, T. 9 S., R. 4 W.

Lee County. Secs. 13, 14, 23, 24, 25, and 26, T. 10 S., R. 5 E.; and secs. 17, 18, 19, 20, 29, and 30, T. 10 S., R. 6 E.

Lincoln County. E½ T. 6 N., R. 6 E.; N⅓ and secs. 17, 18, 19, 20, 29, 30, 31, and 32, T. 6 N., R. 7 E.; E½ T. 7 N., R. 7 E.; and T. 7 N., R. 8 E.

Montgomery County. Secs. 23, 24, 25, 26, 35, and 36, T. 19 N., R. 5 E.; and sec. 23, T. 21 N., R. 5 E.

Oktibbeha County. Secs. 5 and 6, T. 19 N., R. 12 E.; and secs. 31 and 32, T. 20 N., R. 12 E.

Prentiss County. Secs. 2, 3, 4, 5, 8, 9, 10, 11, 14, 15, 16, 17, 20, 21, 22, and 23, T. 5 S., R. 7 E.

Rankin County. T. 3 N., Rs. 2 and 3 E.; T. 5 N., R. 3 E.; and that portion of the county lying east of the Pearl River bounded on the north by the south line of T. 7 N., on the east by the west line of R. 3 E., and on the south by the north line of T. 3 N.

Tate County. Secs. 16, 17, 18, 19, 20, 21, 28, 29, 30, 31, 32, and 33, T. 5 S., R. 7 W.

Warren County. All that area lying within the corporate limits of the city of Vicksburg, and that area lying south of the city of Vicksburg bounded by a line beginning at the intersection of Halls Ferry Road and the corporate limits of the city of Vicksburg, thence southward along said road to its intersection with the east line of R. 3 E., thence south along said line to its intersection with the north line of T. 14 N., thence west along said line to its intersection with the Mississippi River, thence northward along the east bank of said river to its junction with the corporate limits of the city of Vicksburg, thence eastward along said corporate limits to the point of beginning.

Webster County. Secs. 4, 5, 6, 7, 8, and 9, T. 19 N., R. 10 E.; secs. 31, 32, and 33, T. 20 N., R. 10 E.; sec. 1, T. 19 N., R. 11 E.; secs. 25 and 36, T. 20 N., R. 11 E.; secs. 29 and 30, T. 20 N., R. 12 E.; and T. 21 N., R. 11 E.

Winston County. Secs. 3 and 4, T. 14 N., R. 12 E.; and secs. 21, 22, 27, 28, 33, and 34, T. 15 N., R. 12 E.

An area ½ mile wide with State Highway 25 as centerline beginning at the Winston and Attala County line and extending northeastward along said highway to its intersection with Tallahoga Creek.

NORTH CAROLINA

(a) *Generally infested area.*

Anson County. That area bounded by a line beginning at a point northwest of Burnsville where the Union-Anson County line joins Rocky River, thence in an easterly direction along said river to its intersection with U.S. Highway 52, thence south along said highway to its intersection with State Highway 109, thence southwest along said highway to its intersection with State Secondary Road 1121, thence northwest along said road to its junction with State Secondary Road 1228, thence southwest along said road to its junction with State Secondary Road 1230, thence northwest along said road to its intersection with the Anson-Union County line, thence north along said county line to the point of beginning, excluding all of the towns of Ansonville and Wadesboro.

That area bounded by a line beginning at a point northeast of Wadesboro where the Atlantic Coast Line Railroad junctions with the Seaboard Air Line Railroad, thence east along the Seaboard Air Line Railroad to its intersection with State Secondary Road 1703, thence north along said road to its junction with State Secondary Road 1704, thence northeast along said road to its junction with State Secondary Road 1741, thence east along said road to its junction with State Secondary Road 1744, thence southwest along said road to its intersection with Smith Creek, thence east along said creek to its junction with the Pee Dee River, thence south along said river to its intersection with the Seaboard Air Line Railroad, thence west along said railroad to its intersection with State Highway 145, thence southwest along said highway to its intersection with Jones Creek, thence west along said creek to its intersection with State Secondary Road 1812, thence northwest along said road to its junction with State Secondary Road 1811, thence west along said road to its intersection with the Atlantic Coast Line Railroad, thence northwest along said railroad to the point of beginning.

Lenoir County. That area included within the corporate limits of the city of Kinston.

New Hanover County. That area bounded by a line beginning at a point where the Atlantic Coast Line Railroad crosses the Northeast Cape Fear River, thence south along said railroad to its junction with State Highway 132, thence southeast and south along said highway to its junction with U.S. Highway 421, thence northwest along said highway to its junction with the city limits of the city of Wilmington, thence along said city limits west and north to its junction with the Cape Fear River, thence north along said river to its junction with the Northeast Cape Fear River, thence north and east along the Northeast Cape Fear River to its junction with the Atlantic Coast Line Railroad, the point of beginning.

Pender County. That portion of the county lying west of the Northeast Cape Fear River.

Wayne County. That area included within the corporate limits of the city of Goldsboro.

(b) *Suppressive area.*

Cumberland County. That area included within a circle having a 4½-mile radius and center at the Atlantic Coast Line Railroad depot in Hope Mills, including all of the town of Hope Mills and all of the communities of Cumberland and Roslin.

Duplin County. That area included within the corporate limits of the town of Warsaw; and an area 2 miles wide beginning at a line projected northeast and southwest along and beyond the north corporate limits of Warsaw and extending northwesterly along U.S. Highway 117 with said highway as a centerline for a distance of 3 miles.

Edgecombe County. That portion of the city of Rocky Mount lying in Edgecombe County.

Harnett County. An area 1 mile wide bounded on the north by the Harnett-Wake County line and extending south along U.S. Highway 401 with said highway as a centerline for a distance of 5 miles.

Johnston County. That area bounded by a line beginning at a point where Fifth Street junctions with Brogden Road, in the city of Smithfield, thence north along said street to its intersection with Caswell Street, thence west to the end of said street, following projected line to Smithfield city limits, thence east, south and west along said city limits to its intersection with Brogden Road, thence north along said road to the point of beginning.

Jones County. An area 2 miles wide beginning at a line projected due east and due west at the Atlantic Coast Line siding at Ravenswood, approximately 1½ miles south of the Atlantic Coast Line Railroad depot in Pollicksville, and extending southerly with said railroad as a centerline for a distance of 3 miles.

Nash County. That portion of the city of Rocky Mount lying in Nash County.

Onslow County. That area included within the corporate limits of the city of Jacksonville.

Robeson County. That area included within a circle having a 5-mile radius and center at the Robeson County Court House in Lumberton, including all of the city of Lumberton.

That area beginning at a point where the Hoke-Robeson County line junctions with the Cumberland-Hoke-Robeson County line, extending southeast along the Cumberland-Robeson County line to its junction with the Cumberland-Robeson-Bladen County line, thence southeast along the Bladen-Robeson County line to its intersection with State Secondary Road 1006, thence west along said road to its junction with Interstate Highway 95, thence north along said highway to its intersection with Big Marsh Swamp, thence west along the Big Marsh Swamp to the Hoke-Robeson County line, thence northeast along said county line to the point of beginning, including all of the towns of St. Pauls, Lumber Bridge and Parkton.

Scotland County. That area bounded by a line beginning at a point where Big Shoe Heel Creek intersects with State Secondary Road 1323, thence southeast along said road to the Scotland-Robeson County line, thence southwest along said county line to its intersection with Big Shoe Heel Creek, thence northwest along said creek to the point of beginning.

That area bounded by a line beginning at the intersection of U.S. Highway 401 and State Secondary Road 1323 and extending southeast along said road to its intersection with State Secondary Road 1433, thence southwest along said road to its intersection with the corporate limits of the city of Laurinburg, thence northwest along said corporate city limits to its junction with U.S. Highway 401, thence northeast along said highway to the point of beginning.

Union County. That area bounded by a line beginning at a point where State Secondary Road 1002 intersects the corporate limits of the town of Wingate, thence northeast along said road to its intersection with Gourdvine Creek, thence north along said creek to its junction with Richardson Creek, thence northeast along said creek to its intersection with the Anson-Union County line, thence south along said county line to its intersection with State Secondary Road 1903, thence west along said road to its intersection with State Secondary Road 1947, thence southwest along said road to its intersection with State Secondary Road 1945, thence southwest along said road to its intersection with State Secondary Road 1003, thence northwest along said road to its junction with State Secondary Road 1758, thence north along said road to its intersection with the corporate limits of the town of Wingate, thence west, north, east and south around said corporate limits to the point of beginning.

That area included within the corporate limits of the city of Monroe.

Wake County. An area 4 miles wide bounded on the east by a line projected due north and due south for 2 miles on each side of the point of intersection of U.S. Highway 15A and the Norfolk Southern Railway, approximately 1½ miles east of the Norfolk Southern Railway depot in Fuquay Springs, and extending westerly and southwesterly along U.S. Highway 15A with said highway as a centerline to the Wake-Harnett County line, including all of the town of Fuquay Springs.

SOUTH CAROLINA

(a) *Generally infested area.* None.

(b) *Suppressive area.*

Calhoun County. That area bounded by a line beginning at the junction of a dirt road and State Secondary Highway 129, said junction being 0.5 mile northwest of the junction of said highway and State Secondary Highway 326, thence 1.1 miles southeast along State Secondary Highway 129 to its junction with a dirt road, thence 0.75 mile southwest along said dirt road to its junction with a second dirt road, thence 1.75 miles south and southwest along said second dirt road to its junction with State Primary Highway 267, thence 0.8 mile northwest along said highway to its junction with a dirt road, thence 0.4 mile southwest along said dirt road to its intersection with an unnamed branch, thence northwest along said branch to its intersection with State Primary Highway 33, thence 0.4 mile northeast along said highway to its junction with State Primary Highway 267, thence 0.2 mile north along said highway to its junction with a dirt road, thence 1.2 miles northeast along said dirt road to the point of beginning.

TENNESSEE

(a) *Generally infested area.*

Shelby County. The entire county.

(b) *Suppressive area.*

Hardeman County. Civil District 1; that portion of Civil District No. 6, lying west of the GM&O Railroad; and that portion of Civil District No. 7, lying south of the Hatchie River.

Madison County. Civil District 5.

Tipton County. That area within a circle having a ½-mile radius and center at the E. L. Reed homeplace, excluding any area not in Tipton County and including that area within the corporate limits of the town of Mason.

VIRGINIA

(a) *Generally infested area.* None.

(b) *Suppressive area.*

City of Norfolk. That portion of the city bounded by a line beginning at a point where Broad Creek intersects the Norfolk-Southern Railroad and extending eastward along the north and east bank of Broad Creek to Pebble Lane; thence east along Pebble Lane to U.S. Route 13; thence south along U.S. Route 13 to the Eastern Branch of the Elizabeth River; thence west and north along said river branch to the point of beginning.

That portion of the city bounded by a line beginning at a point where the U.S. Route 13 intersects the south bank of Broad Creek and extending southeast along said creek and contiguous Lake Taylor to Interstate Route 64; thence south along said route to U.S. Route 58; thence west along said route to Broad Creek; thence north along said creek to the point of beginning.

City of Virginia Beach. That portion of the city bounded by a line beginning at the intersection of U.S. Route 58 and London Bridge Creek and extending eastward along said route to its intersection with U.S. Route 58B; thence east along U.S. Route 58B to Birdneck Road; thence south on Birdneck Road to its junction with Bells Road; thence extending northwestward along a line projected from said junction to the intersection of Potters Road and London Bridge Creek; thence north along the west bank of London Bridge Creek to the point of beginning.

That portion of the city bounded by a line beginning at a point 500 feet north of the intersection of U.S. Route 58 and the Norfolk-Virginia Beach city limits and extending due east to North Plaza Terrace Street; thence south along said street to its intersection with Windsor Street; thence west along said street to its junction with Wakefield Drive; thence south along said drive to its intersection with Fourth Street; thence west along said street to its junction with Zimmerman Avenue; thence south along said street to its junction with 14th Street; thence due west along a projected line to the Eastern Branch of the Elizabeth River; thence westward along the northern bank of said river branch to the Norfolk city limits; thence northward along the Norfolk city limits to the point of beginning.

That portion of the city bounded by a line beginning at a point where Virginia Beach-Norfolk city limits intersect the Norfolk-Southern Railroad, said point being 0.4 mile north of the Water Works Road; thence northward along said city limits one-half mile; thence extending along a line projected due east to Bayside Road; thence southeast along said road to State Route 166; thence southwest along said State Route and U.S. Route 13 to the Virginia Beach-Norfolk city limits; thence north along said city limits to the point of beginning.

That portion of the city bounded by a line beginning at a point where the Eastern Branch of the Elizabeth River intersects the Virginia Beach-Chesapeake city limits and extending eastward along south bank of said river branch to a point one-fourth mile east of U.S. Route 13; thence extending along a line projected due south to its intersection with Indian River Road; thence northwest along said road to the Virginia Beach-Chesapeake city limits; thence northeast along said city limits to the point of beginning.

(Sec. 9, 37 Stat. 318; 7 U.S.C. 162; 19 F.R. 74, as amended; 7 CFR 301.72–2. Interprets or applies sec. 8, 37 Stat. 318, as amended; 7 U.S.C. 161)

These administrative instructions shall become effective September 17th, 1964, when they shall supersede P.P.C. 618, 3d Revision, 7 CFR 301.72–2a, effective September 20, 1963.

The Director of the Plant Pest Control Division has determined that infestation of white-fringed beetles exists or is likely to exist in the counties, parishes and other minor civil divisions, or parts thereof, listed above, or that it is necessary to regulate such localities because of their proximity to infestation or their inseparability for quarantine purposes

from infested localities. The Director has also determined that adequate eradication measures have been practiced for a sufficient length of time to eradicate white-fringed beetles in certain other localities previously designated as regulated areas, and that regulation of such localities is not otherwise necessary under the provisions of § 301.72–2 of the regulations. Therefore, the Director has revoked the designation of such localities as regulated areas by deleting them from the list of said areas.

This revision of the administrative instructions adds to the list of regulated areas certain areas in two newly regulated States (Arkansas and Virginia), and twenty-five newly regulated counties in previously regulated States; and extends the regulated areas in thirty-three previously regulated States. This revision also revokes the designation as regulated areas of one county in South Carolina and portions of three other counties in said State.

To the extent that this revision relieves restrictions presently imposed, it should be made effective promptly in order to be of maximum benefit to persons subject to the restrictions which are being revoked. To the extent that this revision imposes restrictions necessary to prevent the spread of white-fringed beetles, it should be made effective promptly in order to effectuate the purposes of the regulations. Accordingly, under section 4 of the Administrative Procedure Act (5 U.S.C. 1003), it is found upon good cause that notice and other public procedure with respect to this revision are impracticable and contrary to the public interest, and good cause is found for making this revision effective less than 30 days after publication in the FEDERAL REGISTER.

Done at Hyattsville, Maryland, this 11th day of September, 1964.

[SEAL] E. D. BURGESS,
Director,
Plant Pest Control Division.

[F.R. Doc. 64–9428; Filed, Sept. 16, 1964; 8:47 a.m.]

PART 301—DOMESTIC QUARANTINE NOTICES

Subpart—White-Fringed Beetle

On June 30, 1964, there was published in the FEDERAL REGISTER (29 F.R. 8228) as F.R. Doc. 64–6484, a proposed revision of the Notice of Quarantine No. 72 relating to white-fringed beetles and the regulations supplemental to said quarantine (§§ 301.72, 301.72–1 through 301.72–9). After due consideration of all relevant matters regarding said proposed revision, and pursuant to the authority conferred by sections 8 and 9 of the Plant Quarantine Act of August 20, 1912, as amended, and section 106 of the Federal Plant Pest Act (7 U.S.C. 161, 162, 150ee), the aforesaid revision of the notice of quarantine and regulations is hereby adopted, subject to the changes set forth below.

1. Subdivision (ii) of § 301.72(b)(2) is amended.

2. Paragraph (e) of § 301.72–1 is amended.

3. Paragraph (h) of § 301.72–1 is amended by adding after the word "Agriculture" the phrase "or other person authorized to enforce the provisions of this subpart."

4. The second sentence of paragraph (a) of § 301.72–3 is amended by inserting after the words "any suppressive area" the word "directly".

5. Paragraph (d) of § 301.72–4 is amended by adding a final sentence to read as follows: "If the certificate or limited permit is attached to the waybill it shall be furnished by the carrier to the consignee at the destination of the shipment."

QUARANTINE

Sec.
301.72 Notice of quarantine.

301.72–1 Definitions.
301.72–2 Designation of regulated area.
301.72–3 Restrictions on the movement of regulated articles.
301.72–4 Issuance and use of certificates and limited permits.
301.72–5 Cancellation of certificates and limited permits.
301.72–6 Inspection and disposal.
301.72–7 Shipments for experimental or other scientific purposes.
301.72–8 Nonliability of Department.
201.72–9 Movement of live white-fringed beetles; regulations.

AUTHORITY: The provisions of this subpart issued under secs. 8, 9, 37 Stat. 318, as amended, sec. 106, 71 Stat. 33; 7 U.S.C. 161, 162, 150ee; 19 F.R. 74, as amended.

QUARANTINE

§ 301.72 Notice of quarantine.

(a) *Quarantined States.* Pursuant to section 8 of the Plant Quarantine Act of August 20, 1912, as amended (7 U.S.C. 161), and after public hearing, it has been determined that it is necessary to quarantine the States of Alabama, Arkansas, Florida, Georgia, Louisiana, Mississippi, North Carolina, South Carolina, Tennessee, and Virginia to prevent the spread of infestations of species of the genus Graphognathus, commonly known as white-fringed beetles, dangerous insects injurious to cultivated crops and not heretofore widely prevalent or distributed within and throughout the United States, and therefore said States are hereby quarantined.

(b) *Regulation of movement of regulated articles*—(1) *General.* Hereafter, the articles specified as regulated articles in paragraph (c) of this section shall not be moved from any of the quarantined States into or through any other State, Territory, or District of the United States in manner or method or under conditions other than those prescribed in the regulations set forth in this subpart pursuant to the authority of the Plant Quarantine Act and the Federal Plant Pest Act.

(2) *Exceptions*—(i) *Limiting of restrictions to regulated area.* The restrictions of the regulations in this subpart, with respect to the movement of the regulated articles from any quarantined State, shall apply only to the area in the State which is designated as regulated area as provided in the regulations. Designation of less than an entire State as regulated area will be made if and only if, in the judgment of the Administrator of the Agricultural Research Service, the State provides regulations for and enforces control of the movement within the State of live white-fringed beetles and the regulated articles under the same conditions as those which apply to their interstate movement under the provisions of the currently existing Federal quarantine regulations, the State provides regulations for and enforces such sanitation measures with respect to the area to be designated, or portions thereof, as are adequate to prevent the spread of white-fringed beetles within the State, and limiting the enforcement of the regulations to such area otherwise will be adequate to prevent the interstate spread of white-fringed beetles.

(ii) *Relieving of restrictions by administrative instructions.* Whenever the Director of the Plant Post Control Division finds that facts exist as to the pest risk involved in the movement of any of the regulated articles which make it safe to relieve the restrictions with respect thereto, contained in the regulations, he shall promulgate administrative instructions relieving the restrictions in specified respects. Whenever the Director finds that such facts no longer exist, he shall revoke or modify such administrative instructions so as to reinstate the restrictions of the regulations to the extent necessary to effectuate the purposes of this subdivision.

(c) *Regulated articles.* The following are capable of carrying white-fringed beetle infestation and therefore are regulated articles under this subpart:

(1) *Designated articles (Class "A" articles).* (i) Forest, field, nursery, and greenhouse-grown woody or herbaceous plants with roots.

(ii) Soil, compost, manure, peat, muck, clay, sand, and gravel, whether independent of or associated with nursery stock, other plants, plant products, or other products or articles, except that processed sand and gravel are not included as regulated articles.

(iii) Grass sod; plant crowns and roots for propagation; true bulbs, corms, tubers, and rhizomes of ornamental plants, when freshly harvested or uncured; potatoes (Irish) when freshly harvested; peanuts in shells, and peanut shells.

(iv) Uncleaned grass, grain and legume seen; hay, straw, seed cotton and cottonseed.

(v) Scrap metal and junk; brick, tile, stone; concrete slabs, pipes, and building blocks; and cinders.

(vi) Forest products, such as cordwood, stump wood, logs, lumber, timbers, posts, poles, and cross ties.

(vii) Used harvesting machinery and used construction and maintenance equipment.

(2) *Articles determined to present hazards (Class "B" articles).* Any other products and articles, or means of conveyance, of any character whatsoever, not covered by subparagraph (1) of this paragraph, when it is determined by an inspector that they present a hazard of spread of white-fringed beetles, and the

person in possession thereof has been so notified.

§ 301.72–1 Definitions.

For the purposes of the provisions in this subpart, except where the context otherwise requires, the following terms shall be construed, respectively, to mean:

(a) *White-fringed beetles.* Species of the genus Graphognathus, in any stage of development.

(b) *Infestation.* The presence of white-fringed beetles.

(c) *Regulated areas.* The quarantined States, counties, parishes and other minor civil divisions, or parts thereof, designated as regulated areas in administrative instructions authorized in § 301.72–2.

(d) *Suppressive areas.* That part of the regulated areas where eradication may be undertaken as an objective, as designated in administrative instructions authorized in § 301.72–2.

(e) *Generally infested areas.* That part of the regulated areas not designated as suppressive areas in administrative instructions authorized in § 301.72–2.

(f) *Nursery stock.* Forest, field, nursery, or greenhouse-grown woody or herbaceous plant with roots.

(g) *Regulated articles.* The articles specified in § 301.72(c) (1) and (2).

(h) *Inspector.* An employee of the United States Department of Agriculture or other person authorized to enforce the provisions of this subpart.

(i) *Moved (movement, move).* Shipped, offered for shipment to a common carrier, received for transportation or transported by a common carrier, or carried, transported, moved, or allowed to be moved, interstate, directly or indirectly. "Movement" and "move" shall be construed accordingly.

(j) *Interstate.* From one State, Territory, or District of the United States into or through another.

(k) *State, Territory, or District of the United States.* Any State, the District of Columbia, Guam, Puerto Rico, or the Virgin Islands of the United States.

(l) *Certificate.* A document, issued or authorized by an inspector, evidencing compliance with the requirements of this subpart.

(m) *Master certificate.* A certificate indicating the quantity and nature of the articles covered thereby, issued or authorized by an inspector for use with bulk or lot shipments of regulated articles.

(n) *Limited permit.* A document issued or authorized by an inspector for the movement of regulated articles to a restricted destination for limited handling, utilization, or processing.

(o) *Dealer-carrier agreement.* An agreement to comply with stipulated conditions, executed by persons engaged in purchasing, assembling, exchanging, handling, processing, utilizing, treating, or moving regulated articles.

(p) *Director of the Plant Pest Control Division (or Director).* The Director of the Plant Pest Control Division, Agricultural Research Service, United States Department of Agriculture, or any officer or employee of said Service to whom authority to act in his stead has been or may hereafter be delegated.

(q) *Administrator of the Agricultural Research Service (or Administrator).* The Administrator of the Agricultural Research Service, United States Department of Agriculture, or any officer or employee of that Department to whom authority to act in his stead has been or may hereafter be delegated.

(r) *Administrative instructions.* Published rules relating to the enforcement of the provisions in this subpart issued under authority of such provisions by the Director.

§ 301.72–2 Designation of regulated areas.

The Director, from time to time, in administrative instructions promulgated by him, shall list each quarantined State in its entirety or shall list the counties, parishes, or other minor civil divisions, or parts thereof, in the quarantined State in which he determines infestation of white-fringed beetles exists or is likely to exist, or which he deems it necessary to regulate because of their proximity to infestation or their inseparability for quarantine enforcement purposes from infested localities, and shall designate each listed State or civil division or part of a civil division as constituting a regulated area. Less than an entire State will be designated as a regulated area if and only if, in the judgment of the administrator, limiting the enforcement of the regulations to such portion of the State will be adequate to prevent the spread of white-fringed beetles from the State as provided in § 301.72(b) (2) (i). The Director may revoke the designation of any civil division, or part thereof, as a regulated area by modifying the administrative instructions when he determines that adequate eradication measures have been practiced for a sufficient length of time to eradicate white-fringed beetles therein and that regulation of such area is not otherwise necessary under this section. The Director, in the administrative instructions, may divide any regulated area into a suppressive area and a generally infested area in accordance with the definitions thereof in § 301.72–1.

§ 301.72–3 Restrictions on the movement of regulated articles.

(a) *Applicability of restrictions.* The movement of the regulated articles is restricted from any regulated area into or through any point outside of the regulated areas, or from any generally infested area into or through any suppressive area, or between or within the suppressive areas, as provided in this subpart. No restriction is imposed by this subpart on the movement of regulated articles from any suppressive area directly into any generally infested area.

(b) *Conditions of movement.* Except as provided in paragraph (c) of this section or in § 301.72–7 or in administrative instructions of the Director under § 301.72:

(1) *Certificate or limited permit.* A certificate or limited permit is required to accompany the regulated articles when moved:

(i) From any regulated area into or through any point outside of the regulated areas;

(ii) From the generally infested area into or through any suppressive area; or

(iii) Between or within the suppressive areas.

(2) *Inspection of regulated articles.* Persons intending to move any regulated articles required by this section to be accompanied by a certificate or limited permit shall make application to an inspector for inspection as far in advance as possible, shall so handle such articles as to safeguard them from infestation, and shall assemble them at such points and in such manner as the inspector shall designate to facilitate inspection.

(3) *Safeguards against infestation.* Subsequent to certification, as provided in § 301.72–4, regulated articles may be moved under certificate under this subpart only if they are loaded, handled, and shipped under such protections and safeguards against infestation as are required by the inspector.

(c) *Articles originating outside the regulated areas.* Regulated articles which originate outside of the regulated areas and are moving through or are being reshipped from any regulated area may be moved from any regulated area into or through any point outside of the regulated areas, or from any generally infested area into or through any suppressive area, or between or within the suppressive areas, without further restriction under this subpart when their point of origin is clearly indicated, when their identity has been maintained and when they have been safeguarded against infestation while in the regulated area in a manner satisfactory to an inspector and in his judgment do not present a hazard of spread of white-fringed beetles. Otherwise such regulated articles shall be subject to all applicable requirements under this subpart for articles originating in the regulated area.

§ 301.72–4 Issuance and use of certificates and limited permits.

(a) *Certificates.* Certificates may be issued by the inspector for the movement of any regulated articles under any of the following conditions:

(1) When, in the judgment of the inspector, they have not been exposed to infestation;

(2) When they have been examined by the inspector and found to be free of infestation;

(3) When they have been treated to destroy infestation under the observation of the inspector and in accordance with administratively authorized procedures known to be effective under the conditions in which applied;

(4) When they were grown, produced, manufactured, stored, or handled in such manner that, in the judgment of the inspector, no infestation would be transmitted thereby.

(b) *Limited permits.* Limited permits may be issued by the inspector for the movement of noncertified regulated

articles to specified destinations for limited handling, utilization, or processing, or for treatment.

(c) *Dealer-carrier agreement.* As a condition of issuance of certificates or limited permits for the movement of regulated articles, any person engaged in purchasing, assembling, exchanging, handling, processing, utilizing, treating, or moving such articles may be required to sign a dealer-carrier agreement stipulating that he will maintain such safeguards against the establishment and spread of infestation and comply with such conditions as to the maintenance of identity, handling, and subsequent movement of such articles and the cleaning and treatment of means of conveyance and containers used in the transportation of such articles as may be required by the inspector to prevent the spread of infestation.

(d) *Attachment of certificates and limited permits.* Every container of regulated articles, or, if there is none, the article itself, required to have a certificate or limited permit under § 301.72–2, shall have such certificate or permit securely attached to the outside thereof when offered for movement under said section, except that where the regulated articles are adequately described on a certificate or limited permit attached to the waybill, the attachment of a certificate or limited permit to each container of the articles, or to the article itself, will not be required. If the certificate or limited permit is attached to the waybill it shall be furnished by the carrier to the consignee at the destination of the shipment.

§ 301.72–5 Cancellation of certificates and limited permits.

Certificates or limited permits for any regulated articles issued under the regulations in this subpart may be withdrawn or cancelled and further certificates or permits for such articles may be refused by the inspector whenever he determines that the further use of such certificates or permits might result in the spread of white-fringed beetles.

§ 301.72–6 Inspection and disposal.

Any properly identified inspector is authorized to stop and inspect, without a warrant, any person or means of conveyance moving from any State, Territory, or District of the United States into or through any other such State, Territory, or District and any plant pest and any product and article of any character whatsoever carried thereby, upon probable cause to believe that such means of conveyance, product, or article is infested or infected by or contains any plant pest or is moving subject to any regulations under the Federal Plant Pest Act or that such person or means of conveyance is carrying any plant pest subject to that act, and to stop and inspect, without a warrant, any means of conveyance so moving, upon probable cause to believe it is carrying any product or article prohibited or restricted movement under the Plant Quarantine Act or any quarantine or order thereunder. Such inspector is authorize to seize, destroy, or otherwise dispose of, or require disposal of, products, articles, means of conveyance, and plant pests in accordance with section 105 of the Federal Plant Pest Act and section 10 of the Plant Quarantine Act (7 U.S.C. 150dd, 164a).

§ 301.72–7 Shipments for experimental or other scientific purposes.

Regulated articles may be moved under this subpart for experimental or other scientific purposes only on such conditions and under such safeguards as may be prescribed by the Director of the Plant Pest Control Division to carry out the purposes of this subpart. The container or, if there is none, the article itself shall bear, securely attached to the outside thereof, an identifying tag issued by the Director.

§ 301.72–8 Nonliability of Department.

The United States Department of Agriculture disclaims liability for any cost incident to inspection or treatment required under the provisions in this subpart, other than for the services of the inspector.

§ 301.72–9 Movement of live white-fringed beetles; regulations.

Regulations requiring a permit for, and otherwise governing the movement of live white-fringed beetles are contained in Part 330 of this chapter. Applications for permits for movement of said pests may be made to the Director, Plant Pest Control Division, Agricultural Research Service, Hyattsville, Maryland 20781, in accordance with said part.

This revision shall become effective September 17, 1964, when it shall supersede the quarantine and regulations effective September 20, 1963 (§§ 301.72, 301.72–1 et seq.).

This amendment adds to the white-fringed beetle quarantined areas the States of Arkansas and Virginia. It also requires that a certificate or limited permit accompany regulated articles moved interstate between or within the suppressive areas. In addition, changes in the format of the notice of quarantine and supplementary regulations have been made in the interests of clarity and simplification. The amendment is the same as the proposals set forth in the notice of rule making except for certain minor changes which have been made pursuant to comments received regarding such proposals or for the purpose of further clarifying the quarantine and regulations.

The revised quarantine and regulations should be made effective as soon as possible in order to be of maximum benefit in preventing the interstate spread of white-fringed beetles. Accordingly, under section 4 of the Administrative Procedure Act (5 U.S.C. 1003), it is found upon good cause that further notice of rule making and other public procedure regarding this revision are impracticable and contrary to the public interest, and good cause is found for making the revised quarantine and regulations effective less than 30 days after publication in the FEDERAL REGISTER.

Done at Washington, D.C., this 11th day of September 1964.

[SEAL] GEORGE W. IRVING, Jr.,
Acting Administrator,
Agricultural Research Service.

[F.R. Doc. 64–9426; Filed, Sept. 16, 1964; 8:47 a.m.]

Chapter VII—Agricultural Stabilization and Conservation Service (Agricultural Adjustment), Department of Agriculture

SUBCHAPTER B—FARM MARKETING QUOTAS AND ACREAGE ALLOTMENTS

[Amdt. 3]

PART 729—PEANUTS

Subpart—Allotment and Marketing Quota Regulations for Peanuts of the 1963 and Subsequent Crops

1. *Basis and purpose.* The amendment contained herein is issued pursuant to the Agricultural Adjustment Act of 1938, as amended (7 U.S.C. 1281 et seq.), to revise the Allotment and Marketing Quota Regulations for Peanuts of the 1963 and Subsequent Crops (27 F.R. 11920, 28 F.R. 11811, 29 F.R. 7801, 7983). The amendment contains the basic penalty rate for the 1964 crop of peanuts. The marketing of peanuts from the 1964 crop is now underway and it is essential that the basic penalty rate for the 1964 crop be announced immediately. Furthermore, the basic penalty rate for peanuts is the result of a mathematical calculation provided for by statute (7 U.S.C. 1359). Accordingly, it is hereby determined and found that compliance with the public notice, procedure, and effective date requirements of the Administrative Procedure Act (5 U.S.C. 1003) is impractical and contrary to the public interest and this amendment shall become effective upon the date of filing with the Director, Office of the Federal Register.

2. The Allotment and Marketing Quota Regulations for Peanuts of the 1963 and Subsequent Crops, as amended (27 F.R. 11920, 28 F.R. 11811, 29 F.R. 7801, 7983), are hereby amended by adding a new paragraph (c) to § 729.1457 to read as follows:

§ 729.1457 Penalty rate.

* * * * *

(c) The basic support price for peanuts for the marketing year beginning August 1, 1964, and ending July 31, 1965, is $224.00 per ton or 11.2 cents per pound and, therefore, the basic penalty rate for the 1964 crop of peanuts is 8.4 cents per pound.

(Secs. 359, 375, 55 Stat. 90, as amended, 52 Stat. 66, as amended; 7 U.S.C. 1359, 1375)

Effective date: Date of filing with the Director, Office of the Federal Register.

Signed at Washington, D.C., on September 10, 1964.

H. D. GODFREY,
Administrator, Agricultural Stabilization and Conservation Service.

[F.R. Doc. 64-9431; Filed, Sept. 16, 1964; 8:47 a.m.]

Chapter VIII—Agricultural Stabilization and Conservation Service (Sugar), Department of Agriculture

SUBCHAPTER B—SUGAR REQUIREMENTS AND QUOTAS

[Sugar Reg. 813.3]

PART 813—ALLOTMENT OF SUGAR QUOTA

Domestic Beet Sugar Area, 1964

Basis and purpose. This allotment order is issued under section 205(a) of the Sugar Act of 1948, as amended (61 Stat. 922), hereinafter called the "Act", for the purpose of allotting the 1964 sugar quota for the Domestic Beet Sugar Area among persons who process sugar from sugar beets and market such sugar for consumption in the continental United States.

Section 205(a) of the Act requires the Secretary to allot a quota whenever he finds that the allotment is necessary, among other things (1) to prevent disorderly marketing of sugar or liquid sugar and (2) to afford all interested persons an equitable opportunity to market sugar or liquid sugar. Section 205(a) also requires that such allotment be made after such hearing and upon such notice as the Secretary may prescribe.

Pursuant to the applicable rules of practice and procedure a preliminary finding was made that allotment of the quota is necessary and a notice was published on July 9, 1964 (29 F.R. 9398) of a public hearing to be held in Washington, D.C., Room 2-W, Administration Building, U.S. Department of Agriculture, on July 17, 1964, beginning at 10:00 a.m., e.d.t., for the purpose of receiving evidence to enable the Secretary (1) to affirm or revoke the preliminary findings of necessity for allotments, (2) to establish a fair, efficient and equitable allotment of the 1964 quota for the Domestic Beet Sugar Area, (3) to revise or amend the allotment of the quota for the purposes of (a) allotting any increase or decrease in the quota, (b) prorating any deficit in the allotment for any allottee, and (c) substituting revised estimates or final actual data for estimates of such data and (4) to provide how certain marketings shall apply to allotments.

The hearing was held at the time and place specified in the notice and testimony was given with respect to all issues referred to in the hearing notice.

In arriving at the findings, conclusions and regulatory provisions of this order, all proposed findings and conclusions were carefully and fully considered in conjunction with the record evidence pertaining thereto.

Omission of a recommended decision and effective date. The record of the hearing shows that the supply of sugar available for marketing is substantially in excess of the quota of 2,698,590 tons and that 1964 marketings of beet sugar, unless restricted, would substantially exceed the 1964 quota for the Domestic Beet Sugar Area. The proceeding to which this order relates was instituted for the purpose of allotting the quota for the Domestic Beet Sugar Area to prevent disorderly marketing and to afford each interested person an equitable opportunity to market sugar within the quota for the area. In view of the need for allotments and the relatively short time remaining in the marketing year, it is imperative that processors know as soon as possible the quantity of sugar each may market within the quota during the balance of the year in order to plan marketings and prevent disorderly marketing that could occur if the effective date of the allotment order is unduly delayed. Accordingly, in order to fully effectuate the purposes of section 205(a) of the act it is hereby found that due and timely execution of the functions imposed upon the Secretary under the act imperatively and unavoidably requires the omission of a recommended decision in this proceeding. It is also hereby further found and determined for the reasons given above for the omission of a recommended decision that compliance with the 30-day effective date requirement of the Administrative Procedure Act (60 Stat. 237) is impractical and contrary to the public interest, consequently, this order shall become effective upon publication in the FEDERAL REGISTER.

Basis for findings and conclusions. Section 205(a) of the Act reads in pertinent part as follows:

> * * * Allotments shall be made in such manner and in such amounts as to provide a fair, efficient, and equitable distribution of such quota or proration thereof, by taking into consideration the processings of sugar or liquid sugar from sugar beets or sugarcane, limited in any year when proportionate shares were in effect to processings to which proportionate shares, determined pursuant to the provisions of subsection (b) of section 302, pertained; the past marketings or importations of each such person and the ability of such persons to market or import that portion of such quota or proration thereof allotted to him. The Secretary is also authorized in making such allotment * * * to take into consideration in lieu of or in addition to the foregoing factors of processing, past marketings, and ability to market, the need of establishing an allotment which will permit such marketing of sugar as is necessary for reasonable efficient operation of any such new processing plant or factory or expanded facilities during each of the first two years of its operation. In making such allotments, the Secretary may also take into consideration and make due allowance for the adverse effect of drought, storm, flood, freeze, disease, insects, or other similar abnormal and uncontrollable conditions seriously and broadly affecting any general area served by the factory or factories of such person.

The record of the hearing indicates that the prospective supply of domestic beet sugar available for marketing in 1964 exceeds the quota for that area to an extent that allotment of the quota is necessary to prevent disorderly marketing and to provide all processors of beet sugar equitable marketing opportunities within the limitations of the quota (R. 6, 7).

The allotment method set forth in this order follows the proposal made by the government witness and is the same as the allotment method recommended by the Beet Sugar Industry Task Force in their letter of May 6, 1964, to the Director of the Sugar Policy Staff, Agricultural Stabilization and Conservation Service, U.S.D.A., which was accepted in evidence at the hearing as Exhibit 6 (R. 13). Such method of allotting the quota provides for consideration of all of the factors cited in section 205(a) of the Act.

The substantive feature of the allotment method are the calculation of "base allotments" by weighing the "processings" factor by 75 percent and the "past marketings" factor by 25 percent and the adjustment of base allotments when appropriate for inventory imbalances. Except as otherwise provided for, "processings" are measured by using 1963 crop processings and "past marketings" are measured by using average annual quota marketings for the years 1959 through 1963 (R. 14, 15).

Provision is made for an alternative measure of 1963 crop processings and January 1, 1964 "effective inventories", to give consideration for adverse crop conditions (R-18). Applying the basic allotment method by using modified measures of processings, marketings, and inventories for those processors granted allocations from the National sugarbeet acreage reserve for new and expanded processing facilities as shown in Finding (3) gives consideration in establishing allotments to permit reasonably efficient operation of new and expanded processing facilities (R-18, 19).

Production of sugar from 1963-crop sugar beets is the most up-to-date measure of the processings factor available to represent the operations for a year for each processor. A weighting of 75 percent to the processings factor in determining base allotments appears consistent with the importance of this factor considering that sugar produced from the 1963-crop will represent over 75 percent of the sugar to be marketed within the 1964 quota (R. 17). Processing of the 1963-crop continues well into the 1964 calendar year. However, processings from the 1963-crop after August 31, 1964, will be relatively insignificant. In order to permit adequate time for processors to plan for orderly marketing within allotment during the balance of the year, it is necessary to establish August 31, 1964, as the final termination date through which 1963-crop processings may be used in determining 1964 allotments (R. 15).

The factor "past marketings" when measured by the 1959-63 average annual marketings within allotments and weighted 25 percent in determining base allotments and when considered in conjunction with other provisions of the allotment method herein adopted, which are applicable to 1964, contributes to an orderly rate of change in marketings of each processor relative to the marketings

of others (R. 17). The base period is long enough to incorporate a variety of experiences representative of the sharing of marketings during the immediate past.

The "ability to market" factor is reflected in the above measures of the other two factors (R. 17). When appropriate, additional consideration is given this factor by providing for adjusting base allotments for January 1, 1964, inventory imbalances as set forth in detail in Finding (3).

The basic allotment method adopted herein is similar to the allotment method set forth in the 1962 order in the manner in which the alternative measure of processings is determined and also in the manner in which the alternative effective inventory is determined for use in adjusting base allotments. The steps in determining such alternative measures are set forth in Finding (3).

The record of the hearing contains only a single proposal or recommendation on each of the matters with respect to which a finding or conclusion is made in this order, and each such proposal or recommendation either was concurred in by all interested persons or no alternative proposal was made.

Findings and conclusions. On the basis of the record of the hearing, I hereby find and conclude that:

(1) For the calendar year 1964 Domestic Beet Sugar processors will have available for marketing from 1963-crop sugar beets about 2,135,000 short tons, raw value, of sugar. This quantity of sugar, together with production of sugar from 1964-crop beets, will result in a supply of sugar available for marketing in 1964 sufficiently in excess of the anticipated 1964 quota for the Domestic Beet Sugar Area to cause disorderly marketing and prevent some interested person from having equitable opportunities to market sugar.

(2) The allotment of the 1964 Domestic Beet Sugar Area quota for consumption within the continental United States is necessary to prevent disorderly marketing and to afford all interested persons equitable opportunities to market sugar processed from sugar beets in that area.

(3) To assure a fair, efficient and equitable distribution of the 1964 Domestic Beet Sugar Area quota for consumption within the continental United States, the factors specified in section 205(a) of the act shall be given consideration, and allotments of such quota shall be determined by applying the basic allotment method, set forth in Part I below, giving separate consideration to modifications set forth in (a) and (b) of Part II, and by weighting equally the quantities derived from the application of each of these modifications as follows:

PART I. BASIC ALLOTMENT METHOD

(a) Base allotments shall first be determined by giving consideration to the processing and past marketing factors as follows:

(i) The factor processings from proportionate shares shall be measured by each processor's actual processings of sugar from 1963-crop sugar beets through August 31, 1964, or the alternative measure of processings provided for herein, expressed as a percentage of the total of such actual or alternative processings for all processors, and weighted by 75 percent: *Provided*, That in recognition of the "hardship" provision in Sec. 205(a) of the Act, the alternative measure of processings derived as follows shall be used for any processor when the quantity so derived exceeds such processor's actual 1963-crop year processings: (Processor's average crop year processings for 1961 and 1962 crops) × (Industry total 1963-crop year processings ÷ Industry average crop year processings for 1961 and 1962 crops) × 85 percent, except that such alternative measure shall not exceed 125 percent of such processor's actual 1963-crop processings.

(ii) The factor past marketings shall be measured by each processor's average annual quota marketings for the years 1959 through 1963, expressed as a percentage of the total of the measure for all processors, and weighted by 25 percent.

(iii) The total of the percentage resulting from (i) and (ii), above, for each processor shall be multiplied by the Domestic Beet Sugar Area quota in short tons, raw value, to determine his base allotment in short tons, raw value.

(b) The factor "ability to market" shall be given consideration, in addition to that which is inherent in the consideration given to the other factors, by adjusting the base allotments, as determined in (a)(iii), above, for January 1, 1964, inventory imbalances to the extent as determined below: Provided, however, that in such determination the January 1, 1964, effective inventory to be used for individual processors shall include: (1) The January 1, 1964, physical inventory of sugar, (2) the sugar processed in 1964 prior to August 31, 1964, from 1963-crop beets, and (3) for any processor subject to the "hardship" provision of (a)(i), above the quantity by which his alternative measure of processings exceeds his actual 1963-crop year processings.

(i) Compute the "plus" or "minus" January 1, 1964, inventory imbalance for each processor, by algebraically subtracting from his January 1, 1964, effective inventory his January 1, 1959–63, average effective inventory adjusted proportionately so that the total of such adjusted average inventories of all processors is equal to the total January 1, 1964, effective inventories of all processors.

(ii) The "plus" adjustment applicable to the base allotment for each processor having a "plus" inventory imbalance, as determined in (b)(i), shall be the quantity that such imbalance exceeds 10 percent of his adjusted January 1, 1959–63 average effective inventory and such excess multiplied by 25 percent. Such adjustment for any processor shall not exceed 10 percent of his base allotment.

(iii) The "minus" adjustments applicable to the base allotments for processors having "minus" inventory imbalances shall be computed by prorating the total of the "plus" adjustments, as determined in (ii), among such processors on the basis of their "minus" inventory imbalances. Such adjustment for any processor shall not exceed 10 percent of his base allotment, and, if, as a result of this limitation, the sum of the "minus" adjustments is less than the sum of the "plus" adjustments, as determined in (ii) such "plus" adjustments shall be reduced proportionately to a total equal to the total "minus" adjustments.

(iv) The adjustments determined pursuant to (ii) and (iii), representing hundredweight of refined sugar shall be multiplied by the factor 0.0535 to express such adjustments in short tons, raw value.

(c) Allotments for individual processors, in short tons, raw value, shall be the base allotment quantity as determined in (a)(iii) adjusted upward or downward, respectively, on the basis of "plus" or "minus" adjustments as determined in (b)(iv). Such quantities when divided by 0.0535 express allotments in the equivalent hundredweight of refined sugar.

PART II. MODIFICATIONS TO THE BASIC ALLOTMENT METHOD

For the purpose of giving consideration to the provisions of Sec. 205(a) of the Act, relating to establishing allotments to permit reasonably efficient operations of new and expanded facilities, the modifications set forth as (a) and as (b) of this part shall be considered separately in applying the basic allotment method set forth in Part I. Allottees granted allocations from the National Acreage Reserve pursuant to Sec. 302(b)(3) of the Act and the tonnage of sugar by year of initial processing are as follows:

Processor	Quantity of sugar related to reserve acreage	
	Short tons, raw value	Approximate hundred weight equivalent
Processing started in 1963:		
Spreckels Sugar Co., Division of American Sugar Co.	45,700	854,206
Processing to start in 1964:		
Buckeye Sugars Inc.	4,430	82,840
Holly Sugar Corp.	50,000	934,580
Michigan Sugar Co.	6,850	128,000
Utah-Idaho Sugar Co.	18,020	336,824

(a) *Modifications to give credit for production, marketing and inventory history.*

(i) For the processor starting expansion operations in 1963: Average marketings, 1959–63, shall be the actual average of such marketings plus 90 percent of the reserve allocation; and to the adjusted 5 year average effective inventory shall be added 50 percent of the reserve allocation.

(ii) For each processor starting expansion operations in 1964: Actual 1963 crop-year processings and average marketings, 1959–63, shall be increased by 25 percent of his respective reserve allocation.

(b) *Modifications applicable to reserving a special allotment for processors having allocations for new and expanded facilities.*

(i) For the processor starting expansion operations in 1963: Processings of 1963-crop sugar shall be the actual of such processings less a quantity equal to the reserve allocation; average marketings, 1959–63, shall be the actual average of such marketings less a quantity equal to 10 percent of the reserve allocation; January 1, 1964 effective inventory shall be the actual of such inventory less a quantity equal to 50 percent of the reserve allocation and a special allotment equal to the reserve allocations shall be added to the computed base allotment.

(ii) For each processor starting expansion operations in 1964, a special allotment equal in quantity to 25 percent of his respective reserve allocation shall be added to the computed base allotment.

(4) The quantities of sugar and the percentages referred to in paragraph (3), above, are set forth with modifications pursuant to II(a) in Table 1 and with modifications pursuant to II(b) in Table 2. They are based on data as provided for in the hearing record, including estimates for 1963-crop processings and January 1, 1964 inventories which shall be used pending the availability and substitution of revised estimates or final data for such estimates, and as applied to the Domestic Beet Sugar Area quota of 2,698,590 short tons, raw value. The quantities of sugar resulting from weighting equally the tentative allotments set forth in Tables 1 and 2 are established as allotments in the accompanying order.

TABLE 1

Processor	Processings of sugar from 1963-crop beets (estimated)		Average marketings within the quota, 1959–63		Base allotments		January 1 effective inventories, hundredweight, refined			Adjustments to base allotments [6]		Tentative allotments
	Hundredweight refined [1]	Percent of total	Hundredweight refined	Percent of total	Percent of total (col. 2× 0.75+ col. 4× 0.25)	Short tons raw value (col. 5× quota)	1964	1959–63 average adjusted to col. 7 total	1964 inventory imbalances (col. 7— col. 8)	Hundredweight refined	Short tons, raw value	Short tons raw value (col.6+ or —col. 11)
	(1)	(2)	(3)	(4)	(5)	(6)	(7)	(8)	(9)	(10)	(11)	(12)
Amalgamated Sugar Co., The	7,892,430	13.5245	6,458,226	13.6501	13.5559	365,818	5,526,714	5,798,797	−272,083	0	0	365,818
American Crystal Sugar Co	6,700,987	11.4829	5,689,207	12.0247	11.6183	313,530	4,593,133	4,893,271	−300,138	0	0	313,530
Buckeye Sugars, Inc	374,725	.6421	[2] 291,334	.6158	.6356	17,152	110,872	167,137	−56,265	0	0	17,152
Great Western Sugar Co., The	15,054,990	25.7983	12,039,858	25.4475	25.7106	693,824	11,105,996	10,988,971	+117,025	0	0	693,824
Holly Sugar Corp	8,351,456	14.3111	[2] 7,082,076	14.9687	14.4755	390,634	6,185,824	5,906,362	+279,462	0	0	390,634
Layton Sugar Co	319,558	.5476	254,627	.5382	.5452	14,713	227,048	243,140	−16,092	0	0	14,713
Michigan Sugar Co	1,883,808	3.2281	[2] 1,607,497	3.3976	3.2705	88,257	1,340,901	1,358,862	−17,961	0	0	88,257
Monitor Sugar, Division Robert Gage Coal Co	944,904	1.6192	757,195	1.6004	1.6145	43,569	676,891	653,260	+23,631	0	0	43,569
National Sugar Mfg. Co., The	[3] 165,036	.2828	219,664	.4643	.3282	8,857	[3] 112,973	168,677	−55,704	0	0	8,857
Spreckels Sugar Co., Division of American Sugar Co	7,650,000	13.1091	[4] 6,211,457	13.1285	13.1139	353,890	4,059,126	[5] 3,844,109	+215,017	0	0	353,890
Union Sugar, Division Consolidated Foods Corp	2,715,959	4.6541	1,926,059	4.0709	4.5083	121,661	1,713,877	1,621,043	+92,834	0	0	121,661
Utah-Idaho Sugar Co	6,302,589	10.8002	[2] 4,775,409	10.0933	10.6235	286,685	4,276,700	4,286,426	−9,726	0	0	286,685
Total	58,356,442	100.0000	47,312,609	100.0000	100.0000	2,698,590	39,930,055	39,930,055	±727,969	0	0	2,698,590

[1] Includes 25 percent of the reserve quantity allocated for new and expanded facilities for the 1964-crop amounting to 20,710 cwt. for Buckeye, 233,645 cwt. for Holly, 32,000 cwt. for Michigan, and 84,206 cwt. for Utah-Idaho.
[2] Imputed history amounting to 25 percent of quantity allocated as detailed in footnote 1 was added to 5-year average.
[3] Prior to the application of the "hardship" provision, 1963-crop processings were 132,029 cwt. and Jan. 1, 1964, effective inventories were 79,966 cwt for the National Sugar Mfg. Co.
[4] Imputed history amounting to 854,206 cwt. or the amount allocated for new factory was added to 5-year average marketings after reducing the most recent year's marketings (1963) by 427,103 cwt. or ½ of new plant allocation, because this quantity was estimated to be marketed in 1963.
[5] Includes imputed inventory of 427,103 cwt. (½ of Spreckels' reserve allocation) to offset reserve production deemed to be included in Jan. 1, 1964, effective inventory.
[6] Plus (+) adjustments in col. 10=(Extent (+) quantity in col. 9 exceeds 10 percent of col. 8)×(25 percent); minus (—) adjustments in col. 10=the total of (+) adjustments in col. 10, prorated to processors on the basis of minus (—) quantities in col. 9. Plus (+) and minus (—) adjustments in col. 11=(col. 10 adjustments)×(0.0535)×(½).

TABLE 2

Processor	Processings of sugar from 1963=crop beets (estimated)		Average marketings within the quota, 1959–63		Base allotments excluding expansion reserve allocations		Allocations for expansion reserve short tons, raw value	Base allotments (col. 6+ col. 7) short tons, raw value	Inventory adjustment short tons, raw value [3]	Tentative allotments short tons, raw value
	Hundredweight refined	Percent of total	Hundredweight refined	Percent of total	(Col. 2× 0.75+col. 4×0.25) percent	(Col. 5× quota) s.t. raw v.[1]				
	(1)	(2)	(3)	(4)	(5)	(6)	(7)	(8)	(9)	(10)
Amalgamated Sugar Co., The	7,892,430	13.8145	6,458,226	14.0129	13.8641	365,051	0	365,051	0	365,051
American Crystal Sugar Co	6,700,987	11.7290	5,689,207	12.3443	11.8828	312,882	0	312,882	0	312,882
Buckeye Sugars, Inc	354,015	.6196	270,624	.5872	.6115	16,101	1,108	17,209	0	17,209
Great Western Sugar Co., The	15,054,990	26.3514	12,039,858	26.1237	26.2945	692,351	0	692,351	0	692,351
Holly Sugar Corp	8,117,811	14.2090	6,848,431	14.8595	14.3716	378,414	12,500	390,914	0	390,914
Layton Sugar Co	319,558	.5593	254,627	.5525	.5576	14,682	0	14,682	0	14,682
Michigan Sugar Co	1,851,808	3.2413	1,575,497	3.4185	3.2856	86,512	1,712	88,224	0	88,224
Monitor Sugar Co., Division Robert Gage Coal Co	944,904	1.6539	757,195	1.6429	1.6512	43,477	0	43,477	0	43,477
National Sugar Manufacturing Co., The	[4] 165,036	.2889	219,664	.4766	.3358	8,842	0	8,842	0	8,842
Spreckels Sugar Co., Division of American Sugar Co.	[5] 6,795,794	11.8950	[6] 5,357,251	11.6240	11.8273	311,420	45,700	357,120	0	357,120
Union Sugar, Division Consolidated Foods Corp	3,715,959	4.7538	1,926,059	4.1791	4.6101	121,387	0	121,387	0	121,387
Utah-Idaho Sugar Co	6,218,393	10.8843	4,691,203	10.1788	10.7079	281,946	4,505	286,451	0	286,451
Total	57,131,675	100.0000	46,087,842	100.0000	100.0000	2,633,065	65,525	2,698,590	0	2,698,590

[1] Excludes expansion reserve allocation set-aside for 5 processors as special allotments as shown in col. 7. The reserve allocations in col. 7 represents all of the allocation for Spreckels for 1963 and 25 percent of the allocations made to other companies for 1964.
[2] For purposes of determining adjustments for inventory imbalances a total of 427,103 bags were subtracted from the Jan. 1, 1964, effective inventory for Spreckels, such quantity representing ½ of Spreckels' reserve allocation for 1963. The other half was considered marketed in 1963. The inventory imbalances were then calculated as provided in the basic allotment method.
[4] The 1963-crop processings and Jan. 1, 1964, effective inventories used to compute the inventory adjustment were adjusted for hardship for The National Sugar Mfg. Co.
[5] Spreckels 1963 reserve allocation of 854,206 cwt. was deducted from their 1963-crop year processings.
[6] The 5-year average marketings excludes 427,103 cwts. of sugar for 1963 deemed to be marketed from their 1963 reserve allocation from sugar produced at their new facility.

(5) The Great Western Sugar Company shall succeed to all interest in the historical data pertinent to determining allotments, of the former allottee, Northern Ohio Sugar Company. Spreckels Sugar Company, a Division of American Sugar Company, shall succeed to all interest in the historical data pertinent to determining allotments, of the former allottee Spreckels Sugar Company.

(6) The order shall be revised without further notice or hearing for the purpose of (a) substituting revised estimates of final data for estimated data on 1963-crop processings and January 1, 1964, inventories used in measuring the factors when such data become part of the official records of the Department, (b) allotting any quantity of an allotment which may be released by an allottee to other allottees able to utilize additional allotment in proportion to the established allotments of such allottees when the written notification to the Director of the Policy and Program Appraisal Division of such release becomes a part of the official records of the Department, and (c) revising allotments to give effect to any change in the quota for the area made by the Secretary pursuant to the provisions of the Sugar Act. In making revisions to give effect to a change in the quota for the area, allotments shall be made by the full application of the allotment procedure adopted herein.

(7) Official notice will be taken of (a) final or revised estimated data for 1963-crop processings and January 1, 1964, inventories submitted by processors on Forms SU–70 or other written form when such data become a part of the official records of the Department, (b) any written notice to the Department by an allottee that he is unable to fill part of his allotment when the notification becomes a part of the official records of the Department, and (c) any regulation issued by the Secretary which changes the 1964 Domestic Beet Sugar Area quota.

(8) To assure that the marketing of sugar or liquid sugar is charged against the proper allotment, it is necessary that the order provide for charges to allotments of processors who sell sugar beets, or molasses derived from sugar

beets, but retain and process such sugar beets or molasses into sugar or liquid sugar for delivery to or for the account of the buyer.

(9) Allotments established in the foregoing manner and in the quantities set forth in the order provide a fair, efficient and equitable distribution of any 1964 Domestic Beet Sugar Area quota that may be established for consumption within the continental United States and meet the requirements of section 205(a) of the act.

(10) To assure that an allottee will not market a quantity of sugar in excess of his final 1964 allotment to be established later on the basis of final data, allotments established by this order should be limited to 95 percent of the quota of 2,698,590 short tons, raw value, pending the allotment of the quota based upon final data.

Order. Pursuant to the authority vested in the Secretary of Agriculture by section 205(a) of the act, and in accordance with the Findings and Conclusions heretofore made, it is hereby ordered:

§ 813.3 Allotment of the 1964 sugar quota for the Domestic Beet Sugar Area.

(a) Allotments. For the period January 1, 1964, until the date allotments of the entire 1964 calendar year sugar quota for the Domestic Beet Sugar Area are prescribed, 95 percent of the 1964 quota for the Domestic Beet Sugar Area is hereby allotted to the following processors in the quantities which appear opposite their respective names:

Processors	Short tons, raw value	Equivalent in hundredweight refined beet sugar
Amalgamated Sugar Co., The	347,162	6,489,015
American Crystal Sugar Co	297,546	5,561,602
Buckeye Sugars, Inc	16,321	305,066
Great Western Sugar Co., The	658,434	12,307,169
Holly Sugar Corp	371,235	6,938,978
Layton Sugar Co	13,963	260,993
Michigan Sugar Co	83,828	1,566,879
Monitor Sugar, Division of Robert Gage Coal Co	41,347	772,838
National Sugar Mfg. Co., The	8,407	157,150
Spreckels Sugar Co., Division of American Sugar Co	337,730	6,312,705
Union Sugar, Division of Consolidated Foods Corp	115,448	2,157,903
Utah-Idaho Sugar Co	272,240	5,088,590
Subtotal	2,563,661	47,918,888
Unallotted	134,929	2,522,047
Total	2,698,590	50,440,935

(b) *Marketing of sugar beets and molasses.* If sugar beets or molasses derived from sugar beets are sold by a processor but retained and processed by such processor and the sugar or liquid sugar processed therefrom is delivered to or for the account of the buyer of the sugar beets or molasses, such delivery at the time it occurs shall constitute a marketing which shall be effective for filling the allotment of the processor who sold and processed such sugar beets or molasses.

(c) *Marketing limitations.* Marketings shall be limited to allotments as established herein subject to the prohibitions and provisions of §§ 816.1 to 816.9 of this chapter (Sugar Regulation 816, Rev. 1; 23 F.R. 1943; 27 F.R. 1450).

(d) *Delegation.* The Administrator, Agricultural Stabilization and Conservation Service, U.S. Department of Agriculture, is hereby authorized to allot the 1964 quota for the Domestic Beet Sugar Area by revising the allotments established under this order without further notice or hearing in accordance with the findings and conclusions set forth under (6) accompanying this order, to give effect to (1) the substitution of revised estimates or final data for estimates, (2) the reallocation of any quantity of an allotment released by an allottee and (3) any change in the Domestic Beet Sugar Area quota.

(Sec. 403, 61 Stat. 932; 7 U.S.C. 1153. Interprets or applies secs. 205, 209; 61 Stat. 926; as amended, 928; 7 U.S.C. 1115, 1119)

Done at Washington, D.C., this 14th day of September 1964.

CHARLES S. MURPHY,
Acting Secretary.

[F.R. Doc. 64-9452; Filed, Sept. 16, 1964; 8:49 a.m.]

Chapter IX—Agricultural Marketing Service (Marketing Agreements and Orders; Fruits, Vegetables, Tree Nuts), Department of Agriculture

[Lime Reg. 12]

PART 911—LIMES GROWN IN FLORIDA

Quality and Size Regulation

§ 911.314 Lime Regulation 12.

(a) *Findings.* (1) Pursuant to the marketing agreement, as amended, and Order No. 911, as amended (7 CFR Part 911), regulating the handling of limes grown in Florida, effective under the applicable provisions of the Agricultural Marketing Agreement Act of 1937, as amended (7 U.S.C. 601-674), and upon the basis of the recommendations of the Florida Lime Administrative Committee, established under the aforesaid amended marketing agreement and order, and upon other available information, it is hereby found that the limitation of handling of limes, as hereinafter provided, will tend to effectuate the declared policy of the act.

(2) It is hereby further found that it is impracticable and contrary to the public interest to give preliminary notice, engage in public rule-making procedure, and postpone the effective date of this section until 30 days after publication thereof in the FEDERAL REGISTER (5 U.S.C. 1001-1011) in that, as hereinafter set forth, the time intervening between the date when information upon which this section is based became available and the time when this section must become effective in order to effectuate the declared policy of the act is insufficient; a reasonable time is permitted, under the circumstances, for preparation for such effective time; and good cause exists for making the provisions hereof effective not later than September 22, 1964. Determinations as to the need for, and extent of, regulation of Florida lime shipments must await the development of the crop and the availability of information on the demand for such fruit; the recommendations and supporting information for regulation of lime shipments subsequent to September 22, 1964, and in the manner herein provided, were promptly submitted to the Department after an open meeting of the Florida Lime Administrative Committee on September 8, 1964, held to consider recommendations for regulation; the provisions of this section are identical with the aforesaid recommendations of the committee, and information concerning such provisions has been disseminated among handlers of Florida limes; it is necessary, in order to effectuate the declared policy of the act, to make this section effective as hereinafter set forth; and compliance with this section will not require any special preparation on the part of the persons subject thereto which cannot be completed by the effective time hereof.

(b) *Order.* (1) During the period beginning at 12:01 a.m., e.s.t., September 22, 1964, and ending at 12:01 a.m., e.s.t., October 22, 1964, no handler shall handle:

(ii) Any limes of the group known as true limes (also known as Mexican, West Indian, and Key limes and by other synonyms), grown in the production area, which do not meet the requirements of at least U.S. No. 2 grade for Persian (Tahiti) limes, except as to color;

(ii) Any limes of the group known as large fruited or Persian limes (including Tahiti, Bearss, and similar varieties), grown in the production area, which do not grade at least U.S. Combination, Mixed Color, with not less than 60 percent, by count, of such limes in each container thereof grading at least U.S. No. 1, Mixed Color, and the remainder thereof grading at least U.S. No. 2, Mixed Color; or

(iii) Any limes of the group known as large fruited or Persian limes (including Tahiti, Bearss, and similar varieties) which are of a size smaller than 1⅞ inches in diameter: *Provided,* That not to exceed 10 percent, by count, of the limes in any container may fail to meet this requirement.

(2) Terms used in the amended marketing agreement and order shall, when used herein, have the same meaning as is given to the respective term in said amended marketing agreement and order; and terms relating to grade and diameter, as used herein, shall have the same meaning as is given to the respective term in the United States Standards for Persian (Tahiti) Limes (§§ 51.1000-51.1016 of this title).

(Secs. 1-19, 48 Stat. 31, as amended; 7 U.S.C. 601-674)

Dated: September 14, 1964.

PAUL A. NICHOLSON,
Deputy Director, Fruit and Vegetable Division, Agricultural Marketing Service.

[F.R. Doc. 64-9432; Filed, Sept. 16, 1964; 8:48 a.m.]

[Prune Reg. 2, Amdt. 1]

PART 925—FRESH PRUNES GROWN IN DESIGNATED COUNTIES IN IDAHO AND IN MALHEUR COUNTY, OREGON

Limitation of Shipments

Findings. (1) Pursuant to the marketing agreement and Order No. 925 (7 CFR Part 925), regulating the handling of fresh prunes grown in designated counties in Idaho, and in Malheur County, Oregon, under the applicable provisions of the Agricultural Marketing Agreement Act of 1937, as amended (7 U.S.C. 601–674), and upon the recommendations of the Idaho-Malheur County, Oregon Fresh Prune Marketing Committee, established under the aforesaid marketing agreement and order, and upon other available information, it is hereby found that the limitation of shipments of fresh prunes, in the manner herein provided, will tend to effectuate the declared policy of the act.

(2) It is hereby further found that it is impracticable and contrary to the public interest to give preliminary notice, engage in public rule-making procedure, and postpone the effective date of this amendment until 30 days after publication thereof in the FEDERAL REGISTER (5 U.S.C. 1001–1011) in that the time intervening between the date when information upon which this amendment is based became available and the time when this amendment must become effective in order to effectuate the declared policy of the act is insufficient; and this amendment relieves restrictions on the handling of fresh prunes.

It is therefore ordered that the provisions of paragraph (b)(3) of § 925.303 (Prune Regulation 2; 29 F.R. 11177) are hereby amended to read as follows:

(3) Notwithstanding any other provision of this regulation, any individual shipment of prunes which (i) does not, in the aggregate, exceed 150 pounds, net weight, may be handled without regard to the restrictions specified in this paragraph (b) or in §§ 925.41 (Assessments) and 925.55 (Inspection and certification), or (ii) is in open containers, grades at least 50 percent U.S. No. 1 quality, and does not, in the aggregate, exceed 10,000 pounds, net weight, may be handled without regard to the restrictions specified in subparagraph (1) of this paragraph (b).

The provisions of this amendment shall become effective at 12:01 a.m., m.s.t., September 14, 1964.

(Secs. 1–19, 48 Stat. 31, as amended; 7 U.S.C. 601–674)

Dated: September 11, 1964.

PAUL A. NICHOLSON,
Deputy Director, Fruit and Vegetable Division, Agricultural Marketing Service.

[F.R. Doc. 64-9433; Filed, Sept. 16, 1964; 8:48 a.m.]

Title 12—BANKS AND BANKING

Chapter V—Federal Home Loan Bank Board

SUBCHAPTER D—FEDERAL SAVINGS AND LOAN INSURANCE CORPORATION

[No. FSLIC-1,877]

PART 570—BOARD RULINGS

Reserve Credits

SEPTEMBER 10, 1964.

Resolved that the Federal Home Loan Bank Board, upon the basis of consideration by it of the advisability of the amendment of Part 570 of the Rules and Regulations for Insurance of Accounts (12 CFR Part 570) by the addition of a new section thereto, as hereinafter set forth, and for the purpose of effecting such amendment, hereby amends said part as follows, effective September 17, 1964.

Amend Part 570 by the addition of a new section to read as follows:

§ 570.6 Reserve credits.

(a) Paragraph (c) of § 563.13 of this subchapter provides that an institution which does not meet the credit requirements of the regulation may not declare, pay or advertise dividends in the period subsequent to the immediately succeeding dividend period without the approval of the Federal Savings and Loan Insurance Corporation. Said paragraph also provides that an institution which has failed to meet its credit requirements may cure the deficiency by crediting in the immediately succeeding period an amount equal to the total deficiency plus required credits for that period thus eliminating the necessity for Corporation approval of its dividend rate. Paragraph (d) of § 563.13 of this subchapter provides that the provisions of the section shall apply to all semiannual fiscal periods of insured institutions commencing after December 31, 1963.

(b) For purposes of compliance with § 563.13(c) of this subchapter, an insured institution paying dividends on a quarterly basis will be considered as having cured a deficiency in the credit requirements during one period if, in the immediately succeeding dividend period, it credits to its Federal insurance reserve account an amount equal to the total deficiency in required credits plus making the appropriate allocation under § 563.13(a) of this subchapter and the appropriate credit under § 563.13(b) of this subchapter based upon the institution's position as of the end of that period.

Resolved further that since the aforesaid amendments contain only statements of general policy or interpretations of substantive rules adopted or formulated by the Board for the guidance of the public, the requirements of notice and public procedures set out in § 508.12 of the general regulations of the Federal Home Loan Bank Board (12 CFR 508.12) and section 4(a) of the Administrative Procedure Act do not apply, and for the same reasons, deferment of the effective date is not required under section 4(c) of the Administrative Procedure Act.

By the Federal Home Loan Bank Board.

[SEAL] HARRY W. CAULSEN,
Secretary.

[F. R. Doc. 64-9449; Filed, Sept. 16, 1964; 8:49 a.m.]

Title 50—WILDLIFE AND FISHERIES

Chapter I—Bureau of Sport Fisheries and Wildlife, Fish and Wildlife Service, Department of the Interior

PART 32—HUNTING

Wildlife Refuges in Arkansas

The following special regulations are issued and are effective on date of publication in the FEDERAL REGISTER.

§ 32.22 Special regulations; upland game; for individual wildlife refuge areas.

ARKANSAS

BIG LAKE NATIONAL WILDLIFE REFUGE

Public hunting of squirrels on the Big Lake National Wildlife Refuge, Arkansas, is permitted only on the area designated by signs as open to hunting. This open area, comprising 3,300 acres, is delineated on a map available at the refuge headquarters and from the Regional Director, Bureau of Sport Fisheries and Wildlife, 809 Peachtree-Seventh Building, Atlanta, Georgia, 30323. Hunting shall be in accordance with all applicable State regulations governing the hunting of squirrels subject to the following conditions:

(1) The open season for hunting squirrels on the refuge extends from October 1 through October 10, 1964, one-half hour before sunrise to sunset.

(2) The use of dogs is not permitted.

(3) Fires are not permitted, nor the cutting of trees.

(4) A Federal permit is required to enter the public hunting area. It may be obtained by applying in person at refuge headquarters, Manila, Arkansas, between the hours of 8:00 a.m. and 5:00 p.m., Monday through Friday.

The provisions of this special regulation supplement the regulations which govern hunting on wildlife refuge areas generally which are set forth in Title 50, Code of Federal Regulations, Part 32, and are effective through October 10, 1964.

WAPANOCCA NATIONAL WILDLIFE REFUGE

Public hunting of squirrels on the Wapanocca National Wildlife Refuge, Arkansas, is permitted only on the area

designated by signs as open to hunting. This open area, comprising 1,900 acres, is delineated on maps available at the refuge headquarters and from the Regional Director, Bureau of Sport Fisheries and Wildlife, 809 Peachtree-Seventh Building, Atlanta, Georgia, 30323. Hunting shall be in accordance with all applicable State regulations governing the hunting of squirrels subject to the following conditions:

(1) The open season for hunting squirrels on the refuge extends from October 1 through October 5, 1964, inclusive.

(2) The use of dogs is not permitted.

(3) Vehicles are not permitted on refuge levees.

(4) Fires are not permitted, nor the cutting of trees.

(5) Bobcats may be taken.

(6) A Federal permit is required to enter the public hunting area. It may be obtained by applying in person at refuge headquarters, Turrell, Arkansas, between the hours of 7:30 a.m. and 4:00 p.m., Monday through Friday.

The provisions of this special regulation supplement the regulations which govern hunting on wildlife refuge areas generally which are set forth in Title 50, Code of Federal Regulations, Part 32, and are effective through October 5, 1964.

W. L. TOWNS,
Acting Regional Director,
Atlanta, Georgia.

SEPTEMBER 11, 1964.

[F.R. Doc. 64-9446; Filed, Sept. 16, 1964; 8:49 a.m.]

PART 32—HUNTING

Wildlife Refuges in California and Oregon

The following special regulations are issued and are effective on date of publication in the FEDERAL REGISTER. The limited time ensuing from the date of adoption of the Federal migratory game bird regulations to and including the establishment of State hunting seasons makes it impracticable to give public notice of proposed rule making.

§ 32.12 Special regulations; migratory game birds; for individual wildlife refuge areas.

CALIFORNIA

CLEAR LAKE NATIONAL WILDLIFE REFUGE

The public hunting of ducks, coots, geese, and gallinules on the Clear Lake National Wildlife Refuge, California, is permitted from October 10, 1964, through January 7, 1965, inclusive, but only on the area designated by signs as open to hunting. This open area, comprising 10,600 acres, is delineated on a map available at refuge headquarters, Tule Lake National Wildlife Refuge, Tulelake, California, and from the Regional Director, Bureau of Sport Fisheries and Wildlife, 1002 Northeast Holladay, Portland, Oregon, 97208. Hunting shall be in accordance with all applicable State and Federal regulations subject to the following special conditions:

(1) Dogs—Not to exceed two dogs per hunter may be used only to retrieve wounded or dead birds.

(2) Retrieving—A 100 yard wide retrieving zone is established immediately within the exterior refuge boundary bordering the closed area. Where retrieving zones are established within public hunting areas or adjacent to the refuge boundary, a hunter may enter to retrieve dead or crippled birds which he has shot providing he does not carry weapons. Possession of firearms in the retrieving zone or closed portion of the refuge is prohibited, except that unloaded firearms may be carried only along established routes of travel through the zone or closed area when necessary to reach or leave the hunting area.

(3) Boats—Boats are permitted. Motors not larger than 10 h.p. may be used for access to the hunting area. Sculling and air-thrust boats are prohibited.

(4) Access to the hunting areas—Hunters may not enter the public hunting areas earlier than one and one-half hours before start of shooting time and must be off the areas one hour after close of shooting time.

(5) Persons may employ guides while hunting on the area subject to restrictions of State law and regulations.

(6) Abandonment of property—Leaving boats, decoys or other hunting equipment in other than designated areas is prohibited. Boats, decoys, or other equipment so left one hour after close of shooting time will be subject to removal and impoundment. The expense of the removal shall be paid for by the person owning or claiming ownership of the property. Such property is subject to sale or other disposal after three months, in accordance with Section 203m of the Federal Property and Administrative Services Act of 1949, as amended (40 U.S.C. Sec. 484m) and regulations issued thereunder.

(7) Entry to and exit from the public hunting area is subject to the right of State and Federal Law Enforcement Officers to inspect the vehicles, boats and equipment of the hunter for proper conformance to State and Federal Regulations.

The provisions of this special regulation supplement the regulations which govern hunting on wildlife refuge areas generally which are set forth in Title 50, Code of Federal Regulations, Part 32, and are effective through January 7, 1965.

CALIFORNIA AND OREGON

LOWER KLAMATH NATIONAL WILDLIFE REFUGE

The public hunting of ducks, coots, geese, and gallinules on the Lower Klamath National Wildlife Refuge, California, is permitted from October 10, 1964, through January 7, 1965, inclusive, but only on the area designated by signs as open to hunting. This open area, comprising 6,526 acres, is delineated on a map available at refuge headquarters, Tule Lake National Wildlife Refuge, Tulelake, California, and from the Regional Director, Bureau of Sport Fisheries and Wildlife, 1002 Northeast Holladay, Portland, Oregon, 97208. Hunting shall be in accordance with all applicable State and Federal regulations subject to the following special conditions:

(1) Dogs—Not to exceed two dogs per hunter may be used only to retrieve wounded or dead birds.

(2) Blinds—Portable blinds or blinds made of vegetative material may be used for hunting. The digging of and/or hunting from pits are prohibited. Blinds in designated pass shooting areas may be constructed only at locations staked and appropriately posted by the officer in charge. Hunting in areas so staked and posted is prohibited except at staked blind site.

(3) Retrieving—A 100 yard wide retrieving zone is established immediately within the exterior refuge boundary bordering the closed area. Where retrieving zones are established within public hunting areas or adjacent to the refuge boundary, a hunter may enter to retrieve dead or crippled birds which he has shot providing he does not carry weapons. Possession of firearms in the retrieving zone or closed portion of the refuge is prohibited, except that unloaded firearms may be carried only along established routes of travel through the zone or closed area when necessary to reach or leave the hunting area.

(4) Boats—Boats are permitted. Motors not larger than 10 h.p. may be used for access to the hunting area. Sculling and air-thrust boats are prohibited.

(5) Access to the hunting areas—Hunters may not enter the public hunting areas earlier than one and one-half hours before start of shooting time and must be off the areas one hour after close of shooting time.

(6) Persons may employ guides while hunting on the area subject to restrictions of State law and regulations.

(7) Abandonment of property—Leaving boats, decoys, or other hunting equipment in other than designated areas is prohibited. Boats, decoys, or other equipment so left one hour after close of shooting time will be subject to removal and impoundment. The expense of the removal shall be paid for by the person owning or claiming ownership of the property. Such property is subject to sale or other disposal after three months in accordance with Section 203m of the Federal Property and Administrative Service Act of 1949, as amended (40 U.S.C. Sec. 484m) and regulations issued thereunder.

(8) Entry to and exit from the public hunting area is subject to the right of State and Federal Law Enforcement Officers to inspect the vehicles, boats and equipment of the hunter for proper conformance to State and Federal Regulations.

The provisions of this special regulation supplement the regulations which govern hunting on wildlife refuge areas generally which are set forth in Title 50, Code of Federal Regulations, Part 32, and are effective through January 7, 1965.

CALIFORNIA

TULE LAKE NATIONAL WILDLIFE REFUGE

The public hunting of ducks, coots, geese, and gallinules on the Tule Lake National Wildlife Refuge, California, is permitted from October 10, 1964, through January 7, 1965, inclusive, but only on the area designated by signs as open to hunting. This open area, comprising 9,568 acres, is delineated on a map available at refuge headquarters, Tule Lake National Wildlife Refuge, Tulelake, California, and from the Regional Director, Bureau of Sport Fisheries and Wildlife, 1002 Northeast Holladay, Portland, Oregon, 97208. Hunting shall be in accordance with all applicable State and Federal regulations subject to the following special conditions:

(1) Dogs—Not to exceed two dogs per hunter may be used only to retrieve wounded or dead birds.

(2) Blinds—Portable blinds or blinds made of vegetative material may be used for hunting. The digging of and/or hunting from pits are prohibited. Blinds in designated pass shooting areas may be constructed only at locations staked and appropriately posted by the officer in charge. Hunting in areas so staked and posted is permitted only at staked blind sites.

(3) Persons may employ guides while hunting on the area subject to restrictions of State law and regulations.

(4) Retrieving—A 100 yard wide retrieving zone is established immediately within the exterior refuge boundary bordering the closed area. Where retrieving zones are established within public hunting areas or adjacent to the refuge boundary, a hunter may enter to retrieve dead or crippled birds which he has shot, providing he does not carry weapons. Possession of firearms in the retrieving zone or closed portion of the refuge is prohibited, except that unloaded firearms may be carried only along established routes of travel through the zone or closed area when necessary to reach or leave the hunting area.

(5) Boats—Boats are permitted. Motors not exceeding 10 h.p. may be used for access to the hunting area. Sculling and air-thrust boats are prohibited.

(6) Access to the hunting areas—Hunters may not enter the public hunting areas earlier than one and one-half hours before start of shooting time and must be off the areas one hour after close of shooting time.

(7) Abandonment of property—Leaving boats, decoys, or other hunting equipment in other than designated areas is prohibited. Boats, decoys, or other equipment left one hour after close of shooting time will be subject to removal and impoundment. The expense of the removal shall be paid for by the person owning or claiming ownership of the property. Such property is subject to sale or other disposal after three months, in accordance with Section 203m of the Federal Property and Administrative Services Act of 1949, as amended (40 U.S.C. Sec. 484m) and regulations issued thereunder.

(8) Entry to and exit from the public hunting area is subject to the right of State and Federal Law Enforcement Officers to inspect the vehicles, boats and equipment of the hunter for proper conformance to State and Federal Regulations.

The provisions of this special regulation supplement the regulations which govern hunting on wildlife refuge areas generally which are set forth in Title 50, Code of Federal Regulations, Part 32, and are effective through January 7, 1965.

MODOC NATIONAL WILDLIFE REFUGE

The public hunting of ducks, coots, geese, and gallinules on the Modoc National Wildlife Refuge, California, is permitted from October 10, 1964, through January 7, 1965, inclusive, but only on the area designated by signs as open to hunting. This open area, comprising 1,440 acres, is delineated on a map available at refuge headquarters, Modoc National Wildlife Refuge, Alturas, California, and from the Regional Director, Bureau of Sport Fisheries and Wildlife, 1002 Northeast Holladay, Portland, Oregon, 97208. Hunting shall be in accordance with all applicable State and Federal regulations subject to the following special conditions:

(1) Dogs—Not to exceed two dogs per hunter may be used only to retrieve wounded or dead birds.

(2) Blinds—Portable blinds or blinds made of vegetative material may be used for hunting. The digging of and/or hunting from pits are prohibited. Blinds in designated pass shooting areas may be constructed only at locations staked and appropriately posted by the officer in charge. Hunting in areas so staked and posted is permitted only at staked blind sites.

(3) Access to the hunting areas—Hunters may not enter the public hunting areas earlier than one and one-half hours before start of shooting time and must be off the areas one hour after close of shooting time.

(4) Hunters will report at such checking stations as may be established when entering or leaving the area.

The provisions of this special regulation supplement the regulations which govern hunting on wildlife refuge areas generally which are set forth in Title 50, Code of Federal Regulations, Part 32 and are effective through January 7, 1965.

PAUL T. QUICK,
Regional Director,
Portland, Oregon.

SEPTEMBER 8, 1964.

[F.R. Doc. 64-9447; Filed, Sept. 16, 1964; 8:49 a.m.]

PART 32—HUNTING

The following special regulations are issued and are effective on date of publication in the FEDERAL REGISTER. The limited time ensuing from the date of the adoption of the Federal migratory game bird regulations to and including the establishment of State hunting seasons makes it impracticable to give public notice of proposed rule making.

§ 32.12 Special regulations; migratory game birds; for individual wildlife refuge areas.

OREGON

COLD SPRINGS NATIONAL WILDLIFE REFUGE

The public hunting of ducks, coots, and gallinules on the Cold Springs National Wildlife Refuge is permitted from October 10, 1964, through January 24, 1965, and the hunting of geese is permitted from October 10, 1964, through January 7, 1965, only on the area designated by signs as open to hunting. This open area, comprising 900 acres, is delineated on a map available at the refuge headquarters, McNary National Wildlife Refuge, Burbank, Washington, and from the Regional Director, Bureau of Sport Fisheries and Wildlife, 1002 Northeast Holladay, Portland 8, Oregon. Hunting shall be in accordance with all applicable State and Federal regulations subject to the following special conditions:

(1) Hunting will be permitted only on Saturdays, Sundays, and Wednesdays of each week.

(2) Motor vehicles will be permitted only at designated parking areas.

(3) Boats without motors may be used for hunting.

(4) Temporary blinds may be constructed of vegetative material but the digging of pits is prohibited.

The provisions of this special regulation supplement the regulations which govern hunting on wildlife refuge areas generally which are set forth in Title 50, Code of Federal Regulations, Part 32 and are effective through January 24, 1965.

MCKAY CREEK NATIONAL WILDLIFE REFUGE

The public hunting of ducks, coots, and gallinules on the McKay Creek National Wildlife Refuge is permitted from October 10, 1964, through January 24, 1965, and the hunting of geese is permitted from October 10, 1964, through January 7, 1965, only on the area designated by signs as open to hunting. This open area, comprising 660 acres, is delineated on a map available at the refuge headquarters, McNary National Wildlife Refuge, Burbank, Wash., and from the Regional Director, Bureau of Sport Fisheries and Wildlife, 1002 Northeast Holladay, Portland 8, Oreg. Hunting shall be in accordance with all applicable State and Federal regulations subject to the following special conditions:

(1) The use of boats is permitted, but motors may be used on boats only for access to the hunting area.

The provisions of this special regulation supplement the regulations which govern hunting on wildlife refuge areas generally which are set forth in Title 50, Code of Federal Regulations, Part 32, and are effective through January 24, 1965.

UPPER KLAMATH NATIONAL WILDLIFE REFUGE

The public hunting of ducks, geese, coots and gallinules on the Upper Klamath National Wildlife Refuge is permitted from October 10, 1964, through

January 7, 1965, only on the area designated by signs as open to hunting. This open area, comprising 3,364 acres, is delineated on a map available at the refuge headquarters, Tule Lake National Wildlife Refuge, Tulelake, Calif., and from the Regional Director, Bureau of Sport Fisheries and Wildlife, 1002 Northeast Holladay, Portland 8, Oreg. Hunting shall be in accordance with all applicable State and Federal regulations subject to the following special conditions:

(1) Boats with motors not larger than 10 h.p. may be used for access to the hunting area. Sculling and air-thrust boats are prohibited.

The provisions of this special regulation supplement the regulations which govern hunting on wildlife refuge areas generally which are set forth in Title 50, Code of Federal Regulations, Part 32 and are effective through January 7, 1965.

PAUL T. QUICK,
Regional Director,
Portland, Oregon.

SEPTEMBER 8, 1964.

[F.R. Doc. 64-9448; Filed, Sept. 16, 1964; 8:49 a.m.]

Proposed Rule Making

CIVIL AERONAUTICS BOARD

[14 CFR Part 241]

[Docket No. 15545]

UNIFORM SYSTEM OF ACCOUNTS AND REPORTS FOR CERTIFICATED AIR CARRIERS

Reporting Results of Scheduled All-Cargo Services

SEPTEMBER 14, 1964.

Notice is hereby given that the Civil Aeronautics Board has under consideration a proposed amendment to Part 241 of the Economic Regulations (14 CFR Part 241) which would provide for reporting separately results of scheduled all-cargo services by the all-cargo carriers and the trunkline and international passenger/cargo carriers.

The principal features of the proposed amendment are explained in the Explanatory Statement below. The rule is proposed under the authority of sections 204(a) and 407 of the Federal Aviation Act of 1958 (72 Stat. 743, 766; 49 U.S.C. 1324, 1377).

Interested persons may participate in the proposed rule making through submission of ten (10) copies of their views in writing addressed to the Docket Section, Civil Aeronautics Board, Washington, D.C., 20428. All relevant matter in communications received by October 19, 1964, will be considered by the Board before taking action on the proposed rule. Copies of such communications will be available for examination by interested persons in the Docket Section of the Board, Room 710 Universal Building, 1825 Connecticut Avenue NW., Washington, D.C.

By the Civil Aeronautics Board:

[SEAL] HAROLD R. SANDERSON,
Secretary.

Explanatory statement. The significance of air freight as a segment of air transportation is increasing rapidly. Between calendar years 1958 and 1963, freight ton-miles of certificated route carriers increased 105 percent. During 1963 freight accounted for 16 percent of all revenue ton-miles flown, and of this amount 43 percent was in all-cargo service. Both the sharp growth rate and current industry expectations with respect to cargo potentials are reflected in the substantial number of large turbofan jet and turbo-prop cargo aircraft recently acquired or firmly committed for the future. The great increase in cargo capacity afforded by these new aircraft in addition to aircraft converted to cargo configurations will augment all-cargo services for which they are peculiarly designed. The existing reporting system is oriented primarily toward passenger services performed with combination passenger/cargo aircraft types. More detailed information on air freight in general and all-cargo services in particular is required to assist the Board in the discharge of its functions in matters associated with the changing status of air freight and appraising the burden or contribution of scheduled all-cargo services to overall earnings position.

Under the proposed rule, three additional schedules, B–1A, P–1A, and T–3A, associated with scheduled all-cargo services, would supplement the income and traffic reports of Form 41. Schedule B–1A would cover investment; Schedule P–1A would cover revenues and expenses; and Schedule T–3A would cover, by aircraft type, revenue tons enplaned, revenue ton-miles, and revenue aircraft departures. No separation of nonoperating items or special items would be required on Schedule P–1A. In order to provide the utmost flexibility in carrying out this program, detailed procedures for separating all-cargo services from other services would not be prescribed. However, the comparative utility of the reports would be seriously impaired if significantly non-uniform principles and techniques of allocation are employed by the various carriers. Each carrier would therefore be required to file for Board approval, with the initial reports, statements of the various procedures by which the financial results of scheduled all-cargo services are separated from results for all services. The Board considers the procedure for determining all-cargo operating expenses, developed in the past year by a group of industry representatives, a reasonable basis for this purpose and intends to utilize it to the extent practicable. Moreover, the Board encourages the continuance of group, as well as individual carrier, participation in effecting improvements in allocation methods and in developing such other allocation techniques as may be necessary to achieve a reasonably uniform system of allocations between various services. Neither the items nor the amounts allocated to all-cargo services pursuant to this rule would be controlling for rate-making purposes.

It is proposed to amend Part 241 of the Economic Regulations (14 CFR Part 241) in the following respects:

1. By adding to the list of report schedules in paragraph (a) of section 22—General Reporting Instructions, immediately following Schedules B–1, P–1.2, and T–3, respectively, three new lines in appropriate columns as follows:

B–1A	Invested Capital—Scheduled All-Cargo Services.	do	40
P–1A	Operating Statement—Scheduled All-Cargo Services.	do	40
T–3A	Aircraft Statistics—Scheduled All-Cargo Services.	do	30

2. By adding new items (14) and (15) to the recapitulation of required statements of accounting and statistical procedures under paragraph (d) of section 22: [Item (13) is reserved for "Procedures for accrual of vacation liability" proposed in EDR–65.]

(14) Procedures for allocating invested capital between all-cargo services and other services, as required by section 23, Schedule B–1A.

(15) Procedures for allocating profit and loss items between all-cargo services and other services, as required by section 24, Schedule P–1A.

3. By adding new Schedule B–1A with related instructions to section 23—Certification and Balance Sheet Elements, immediately following the text for Schedule B–1 Balance Sheet, as follows:

Schedule B–1A—Invested Capital—Scheduled All-Cargo Services

(a) This schedule shall be filed by all route air carriers except local service air carriers, helicopter air carriers, and exclusively intra-Alaskan or intra-Hawaiian air carriers, for each calendar quarter. This schedule need not be filed for any period in which the data reflected in Schedule P–1—Income Statement reflect either scheduled cargo services exclusively or nonscheduled cargo services exclusively, provided explanation to this effect is placed on Schedule P–1.

(b) Separate sets of this schedule shall be filed for each separate operating entity of the air carrier.

(c) Data reported on this schedule shall conform with the instructions pertaining to balance sheet classifications within this Uniform System of Accounts and Reports.

(d) Each indicated asset classification shall be allocated between scheduled all-cargo and other services in accordance with procedures that shall be submitted with the initial report as provided in section 22(d). The investment allocation plan submitted by those air carriers with more than one operating entity shall provide for an intermediate allocation of total system investment to all services performed by each operating entity. The total system investment shall be reported in the first data column, the investment allocated to all services of the respective operating entity shall be reported in the second data column, and the investment allocated to scheduled all-cargo services of the respective operating entity shall be reported in the third data column. The system investment reported on this schedule shall be consistent with the data reported on Schedule B–1—Balance Sheet. The procedure for effecting working capital allocations shall provide for the direct assignment of traffic receivables and payables and unearned transportation revenue associated with each service, and the allocation of the remaining working capital items in a manner that will reflect any differences in the need for internal financing because of characteristic differences in the

timing of revenue collection. For this purpose "working capital" shall be considered to represent the sum of total current assets (balance sheet Account 1499) and other deferred charges (balance sheet Account 1890) less the sum of total current liabilities (balance sheet Account 2199) and total deferred credits (balance sheet Account 2399). The procedure for effecting investment allocations shall provide for the allocation of aircraft by type, with direct assignment to all-cargo service of aircraft types used exclusively in this service and allocation of other aircraft types on the basis of aircraft days assigned or similar measure of use. Other operating property and equipment items shall be assigned directly to the extent practicable, and the remainder allocated on a reasonable basis. A similar procedure of allocating items directly, to the extent practicable, and otherwise on the basis of the relative contribution to each service shall be used with respect to investments, equipment purchase deposits, and other special funds. In keeping with the treatment of nonoperating income, no allocation of nonoperating assets shall be made to the all-cargo services.

4. By adding new Schedule P-1A with related instructions to section 24—Profit and Loss Elements, immediately following the text for Schedule P-1.2—Income Statement, as follows:

Schedule P-1A—Operating Statement—Scheduled All-Cargo Services

(a) This schedule shall be filed by all route air carriers except local service air carriers, helicopter air carriers, and exclusively intra-Alaskan or intra-Hawaiian carriers, for each calendar quarter. This schedule need not be filed for any period in which the data reflected in Schedule P-1—Income Statement reflect either scheduled cargo services exclusively, or nonscheduled cargo services exclusively, provided explanation to this effect is placed on Schedule P-1.

(b) Separate sets of this schedule shall be filed for each separate operating entity of the air carrier.

(c) Data reported on this schedule shall conform with the instructions pertaining to profit and loss classifications within this Uniform System of Accounts and Reports.

(d) Data reported in the "12-Months-to-date" column shall represent for each individual item the sum of amounts reported in the "Quarter" column for the current and next previous three quarters.

NOTE: This provision shall not apply with respect to the first three quarters for which the initial report is filed. For these first three quarters, the data to be reported in the "12-Months-to-date" column may be developed directly without reference to the individual quarters.

(e) Transport revenues of each property class shall be separately identified and assigned directly to scheduled all-cargo services or to other services actually used. Amounts assigned to scheduled all-cargo services for the current quarter and the 12-month period, respectively, shall be reported in the two data columns applicable to the Transport Revenue section of this schedule.

(f) Incidental revenues, each indicated classification of operating expenses, and income taxes shall be allocated between scheduled all-cargo and other services in accordance with a procedure which shall be submitted with the initial report as provided in section 22(d). With respect to aircraft operating expenses, the procedure shall provide for allocating flying operations, maintenance of flight equipment, and depreciation and amortization of flight equipment by aircraft types on a basis consistent with the aircraft operating expenses reported on Schedule P-5. The "servicing administration" subfunction shall be pre-allocated between the "aircraft servicing" and "traffic servicing" subfunctions. Income taxes allocated to all-cargo services shall reflect, as applicable, either the tax charges associated with profits or the tax reductions associated with losses of all-cargo services. Amounts allocated to scheduled all-cargo services for the current quarter and the 12-month period shall be reported in the appropriate data column for the incidental revenue or operating expense sections of this schedule, as applicable.

5. By adding new Schedule T-3A with related instructions to section 25—Traffic and Capacity Elements, immediately following the text for Schedule T-3—Quarterly Statement of Aircraft Operating Statistics, as follows:

Schedule T-3A—Aircraft Statistics—Scheduled All-Cargo Services

(a) This schedule shall be filed by all route air carriers except local service air carriers, helicopter air carriers, and exclusively intra-Alaskan or intra-Hawaiian air carriers, for each calendar quarter. This schedule need not be filed for any period in which the data reflected in Schedule T-3—Quarterly Statement of Aircraft Operating Statistics reflect either scheduled cargo services exclusively, or nonscheduled cargo services exclusively, provided explanation to this effect is placed on Schedule T-3.

(b) Separate sets of this schedule shall be filed for each separate operating entity of the air carrier.

(c) All data reported on this schedule shall be reported by aircraft type and shall conform with the instructions pertaining to traffic statistics within this Uniform System of Accounts and Reports.

(d) Data reported in the "12-Months-to-date" column shall represent for each individual item the sum of amounts reported in the "Quarter" column for the current and next previous three quarters.

NOTE: This provision shall not apply with respect to the first three quarters for which the initial report is filed. For these first three quarters, the data to be reported in the "12-Months-to-date" column may be developed directly without reference to the individual quarters.

[F.R. Doc. 64-9451; Filed, Sept. 16, 1964; 8:49 a.m.]

DEPARTMENT OF AGRICULTURE

Agricultural Marketing Service

[7 CFR Part 984]

WALNUTS GROWN IN CALIFORNIA, OREGON, AND WASHINGTON

Expenses and Rates of Assessment for 1964–65 Marketing Year

Notice is hereby given that there is under consideration a proposal regarding expenses of the Walnut Control Board and rates of assessment for the 1964–65 marketing year which began August 1, 1964. The proposal, which is based on the recommendation of the Walnut Control Board and other available information, would be established pursuant to amended Marketing Agreement No. 105 and Order No. 984 (7 CFR Part 984), regulating the handling of walnuts grown in California, Oregon, and Washington, effective under the Agricultural Marketing Agreement Act of 1937, as amended (7 U.S.C. 601–674).

Consideration will be given to any written data, views, or arguments pertaining to the proposal which are received by the Hearing Clerk, United States Department of Agriculture, Room 112, Administration Building, Washington, D.C. 20250, not later than ten days after publication of this notice in the FEDERAL REGISTER. All written submissions made pursuant to this notice should be in quadruplicate and will be made available for public inspection at the office of the Hearing Clerk during regular business hours (7 CFR 1.27(b)).

The proposal is as follows:

§ 984.316 Expenses of the Walnut Control Board and rates of assessment for the 1964–65 marketing year.

(a) *Expenses.* The expenses that are reasonable and likely to be incurred by the Walnut Control Board during the marketing year beginning August 1, 1964, in accordance with § 984.68, will amount to $120,400, and the Board is authorized to incur such expenses.

(b) *Rates of assessment.* The rates of assessment fixed for said marketing year, payable by each handler in accordance with § 984.69, shall be 0.10 cent per pound for merchantable inshell walnuts and 0.20 cent per pound for merchantable shelled walnuts.

Dated: September 14, 1964.

PAUL A. NICHOLSON,
Deputy Director,
Fruit and Vegetable Division.

[F.R. Doc. 64-9453; Filed, Sept. 16, 1964; 8:49 a.m.]

Agricultural Research Service

[9 CFR Part 92]

IMPORTATION OF ANIMAL SEMEN

Notice of Extension of Time To Submit Written Data, Views, or Arguments

On May 29, 1964, there was published in the FEDERAL REGISTER (29 F.R. 7122) a

notice of proposed amendments of Part 92, Subchapter D, Chapter I, Title 9, Code of Federal Regulations, as amended, with respect to proposed procedures under which the semen of ruminants or swine from certain countries where rinderpest or foot-and-mouth disease exists may be imported into the United States. Said notice provided that any person could submit written data, views, or arguments concerning the proposed amendments within 60 days after publication thereof in the FEDERAL REGISTER.

On August 8, 1964, there was published in the FEDERAL REGISTER (29 F.R. 11458) a notice of extension of time which provided that any person could submit written data, views, or arguments regarding the proposed amendments on or before August 31, 1964.

Because of the intense interest which has been manifested in the proposed amendments and in order to provide all interested persons sufficient opportunity to adequately prepare and present their views, it now appears desirable to afford further additional time for the submission of comments with respect thereto. Accordingly, any person may submit written data, views, or arguments regarding the proposed amendments with the Director, Animal Inspection and Quarantine Division, Agricultural Research Service, U.S. Department of Agriculture, Federal Center Building, Hyattsville, Md., 20781, on or before November 30, 1964.

All written submissions made pursuant to this notice will be made available for public inspection at such times and places and in a manner convenient to the public business (7 CFR 1.27(b)).

Done at Washington, D.C., this 11th day of September, 1964.

GEORGE W. IRVING, Jr.,
Acting Administrator,
Agricultural Research Service.

[F.R. Doc. 64-9429; Filed, Sept. 16, 1964; 8:47 a.m.]

FEDERAL AVIATION AGENCY

[14 CFR Part 61 [New]]

[Reg. Docket No. 6204; Notice 64-42]

PILOT RATING REQUIREMENTS

Notice of Proposed Rule Making

The Federal Aviation Agency is considering an amendment to Part 61 [New] to require, for specified operations, the following aircraft ratings, flight checks, or aircraft familiarization flights for a pilot in command holding a private, commercial, or airline transport pilot certificate:

(a) All aircraft operations in large aircraft or in small turbojet powered airplanes—category,[1] class,[2] and type[3] rating required.

(b) All small aircraft operations (other than turbojet powered airplanes) for compensation or hire, or for which the pilot in command receives compensation or hire, and all aircraft operations carrying another person—

(1) Small complex aircraft—category[1] and class[2] rating, and flight check require; or

(2) Other small aircraft—category[1] and class[2] rating required.

(c) Any other aircraft operations in small aircraft—familiarization flight required.

Interested persons are invited to participate in the making of the proposed rule by submitting such written data, views, or arguments as they may desire. Communications should identify the regulatory docket or notice number and be submitted in duplicate to the Federal Aviation Agency, Office of the General Counsel: Attention Docket Section, 800 Independence Avenue SW., Washington, D.C., 20553. All communications received on or before December 31, 1964, will be considered by the Administrator before taking action on the proposed rule. The proposal contained in this notice may be changed in the light of comments received. All comments submitted will be available, both before and after the closing date for comments, in the Docket Section for examination by interested persons.

Since the objectives of the proposal involve various pilot ratings requiring, in some cases, more than one amendment to the same section, the Agency has incorporated several proposals in this package amendment instead of issuing a separate notice of proposed rule making for each proposal.

The following is a brief explanation of the principal proposals involved in this package amendment.

1. *Large aircraft.* Under this proposal, no person may act as pilot in command of any large aircraft unless he holds a category, class, and type rating for that aircraft. The speed, complexity, and operating characteristics of large aircraft require the pilot in command to demonstrate his ability to pilot the category, class, and type of large aircraft being operated regardless of the type of activity in which the aircraft is engaged.

An authorization to deviate from this and certain other requirements contained in this proposal is made in proposed § 61.16 (General Limitations) when compliance with the regulations would be impractical, such as piloting single-place aircraft in preparation for a required type rating, or during the qualification of pilots on a new type of aircraft. An authorization would be issued by a Flight Standards District Office only when it has determined that an equivalent level of public safety may be obtained through appropriate limitations similar to those applied to experimental aircraft.

2. *Small turbojet powered airplane.* The pilot in command of a small turbojet powered airplane would be required to have a category, class, and type rating for that airplane. The performance, environment, and operating characteristics of small turbojet powered airplanes are very similar to those of large turbojet powered airplanes. They are so refined that improper or inept handling is likely to be immediately critical. Therefore, the pilot in command of a small turbojet powered airplane should demonstrate his competency to pilot those airplanes by obtaining a type rating for the particular type of airplane involved.

3. *Small complex aircraft.* A pilot would be required to obtain before operating a small complex aircraft that is carrying another person, that is operated for compensation or hire, or for which the pilot receives compensation or hire, a category and class rating, and a flight check in that type of aircraft. Under this proposal, a small complex aircraft is defined as a small helicopter or turbopropeller powered airplane, or each type of small airplane that is equipped with—(1) retractable landing gear, (2) flaps, and (3) controllable pitch propeller.

The Administrator would specify similar models of each make of aircraft that are considered to be of the same type for the purposes of a "small complex aircraft" qualification. These would be listed in an Advisory Circular, as is presently done for large aircraft type ratings in Advisory Circular 61-1. A successful flight check in any aircraft in a group would be considered as qualifying for all aircraft of that group.

The frequency and variety of small complex aircraft accidents demonstrate a need for careful and supervised checkouts in those aircraft. Familiarity with, and knowledge of, one type of aircraft does not necessarily apply to another because of different operating systems and performance characteristics.

The required flight check would duplicate in that type of aircraft the procedures, maneuvers, and techniques required for the issue of an additional class rating. In the case of an airplane, the instrument flight demonstrations required of an applicant for the private or commercial pilot flight test, as appropriate to the certificate held by the pilot being flight checked, would also be included in the flight check. The holder of an airline transport pilot certificate need only meet the commercial pilot flight check requirements. A logbook endorsement for a complex aircraft flight check would remain valid when a different grade of pilot certificate is obtained by the pilot.

The flight check would be given only to those pilots who hold a category and class rating. Pilots holding a type rating (helicopter, for example), or pilots who, while holding an appropriate category

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[1] The word "category" is defined in FAR Part 1 as follows: "Category"—(1) as used with respect to the certification, ratings, privileges, and limitations of airmen, means a broad classification of aircraft. Examples include: airplane; rotorcraft; glider; and lighter-than-air.

[2] The word "class" is defined in FAR Part 1 as follows: "Class"—(1) As used with respect to the certification, ratings, privileges, and limitations of airmen, means a classification of aircraft within a category having similar operating characteristics. Examples include: single engine; multiengine; land; water; gyroplane; helicopter; airship, and free balloon.

[3] The word "type" is defined in FAR Part 1 as follows: "Type"—(1) as used with respect to the certification, ratings, privileges and limitations of airmen, means a specific make and basic model of aircraft, including modification thereto that do not change its handling or flight characteristics. Examples include: DC-7, 1049, and F-27.

and class rating, have logged flight time before the effective date of the amendment in the aircraft to be flown, would not need the flight check.

The proposal excepts those pilots employed by a certificated air carrier or a commercial operator who are flight checked in the small complex aircraft to be flown by the operator employing them under an FAA approved pilot training program.

The flight check could be given by either an FAA inspector or certificated flight instructor. Section 61.177 would be revised to also require a flight instructor to meet the proposed flight check requirements of § 61.16(b), according to the pilot certificate he holds, before giving a small complex aircraft flight check and endorsing a logbook for that flight check.

4. *Category and class rating for small aircraft.* A pilot in command of a small aircraft would be required to have a category (and class, if issued) rating for that aircraft when any other person is carried in the aircraft, when the aircraft is operated for compensation or hire, or when the pilot receives compensation or hire for piloting that aircraft.

This proposed requirement would result in requiring a certificated flight instructor to have a class rating (if issued) on his pilot certificate before giving flight instruction to a pilot-trainee not eligible to act as pilot in command of that aircraft when carrying another person.

5. *Familiarization flight for soloing small aircraft.* The present regulations permit a pilot (other than a student pilot) to solo any category or class of aircraft without being rated for that aircraft. To use an extreme example, the holder of a private pilot certificate with a glider category rating may, if he desires, solo a rotorcraft without having any familiarization with rotorcraft flying. Under this proposal, a pilot would need some experience, but not necessarily a rating, to solo a small aircraft. It is proposed to restrict the holder of a private, commercial, or airline transport pilot certificate from soloing a small aircraft not for compensation or hire unless he has met one of the requirements of proposed § 61.16(f).

This proposal would not apply to the holder of an airplane category rating when soloing gliders.

In connection with the principal proposals, several subsidiary proposals are made. First, the five principal proposals would be collected together in a new § 61.16 (General Limitations). Certain persons would be exempted from its provisions:

(a) The holder of a student pilot certificate, whose piloting activities would continue to be governed by Subpart B of Part 61.

(b) The holder of a pilot certificate with a lighter-than-air category rating when operating a free balloon.

(c) The holder of a pilot certificate when operating an aircraft in accordance with an FAA experimental or provisional type certificate.

(d) An applicant for a pilot certificate or rating when taking a flight test given by an authorized representative of the Administrator.

(e) In certain cases, the holder of an authorization issued by a Flight Standards District Office.

Second, several clarifying amendments would be made in the regulations. An applicant for a type rating receiving a category rating or original issue of a pilot certificate based on that type rating flight test must also meet the other requirements for issue of that category rating or pilot certificate, as the case may be.

The requirements of § 61.17(g) for the issue of an additional type rating would apply to the original issue of a type rating. Present § 61.17(g) does not specify the requirements for original issue of a type rating.

The flight test maneuvers required of the holder of an airline transport pilot certificate applying for an airplane type rating or an additional airplane class rating would be clarified in proposed § 61.147(b).

Third, any pilot would be required to produce his logbook for inspection upon the request of, and after reasonable notice by, the Administrator, an authorized representative of the Civil Aeronautics Board, or any State or local law enforcement officer. This proposal would make the inspection of pilot logbooks consistent with § 61.41 (airline transport pilots) and is necessary due to the flight check endorsements to be made in pilot logbooks.

Fourth, a successful flight test or complex aircraft flight check would, under the proposal, satisfy the recent experience requirements of § 61.47 that are appropriate to the test or flight check. For example, a flight test for the issue of an instrument rating would meet the recent experience requirements of § 61.47(d) for the next six months.

Fifth, in connection with the introduction of new § 61.16, several existing sections would be amended because their substance would appear in that section. These sections are § 61.101 (private pilot), § 61.131 (commercial pilot), and §§ 61.159 and 61.165 (airline transport pilot). It is also proposed to amend the last sentence of § 61.159 (maneuvers required for a rating test) to include the rotorcraft maneuvers specified by § 61.155 since the present § 61.159 does not provide for rotorcraft ratings on an airline transport pilot certificate. The type rating requirements for airline transport pilots (§ 61.159—large or helicopter type ratings) are included in proposed § 61.16(a). The unconventional aircraft description required by § 61.149 for airline transport pilots has been deleted pending Agency review of the necessity for an unconventional aircraft type rating.

Sixth, the applicability of present § 61–15 (e) and (f) (exchange of pilot certificates with rotorcraft ratings) would be restricted to private or commercial pilots with a rotorcraft, helicopter, or autogiro category rating with no class rating. An airline transport pilot with one of those ratings would be permitted to exercise the privileges of that rating for a period of six months after the effective date of this proposed amendment without exchanging his certificate for a new certificate containing class and type ratings under the rotorcraft category. Present paragraphs (e) and (f) of § 61.15 are not intended to apply to the holder of an airline transport pilot certificate with rotorcraft privileges limited to private or commercial pilot privileges.

The Agency has determined, however, that the holder of an airline transport pilot certificate with a helicopter or autogiro category rating, or a rotorcraft rating without a helicopter or gyroplane class rating, should exchange his certificate for a new certificate specifying the category, class, and type rating as now defined in § 61.15(a). Under the proposed rule, the holder of an airline transport pilot certificate must exchange his certificate for a new certificate with appropriate ratings within six months after the effective date of the proposed rule before continuing to exercise the rotorcraft privileges of that certificate. This is necessary as part of the Agency's program to standardize certificates and the ratings to be placed on the certificates.

Present paragraphs (e) and (f) of § 61.15 provide for the issue of a gyroplane class rating to pilots who qualified initially in helicopters and who have had at least 10 hours as pilot in command of a gyroplane within the 12-month period before July 12, 1962. The Agency proposes to delete this provision with regard to the holders of private or commercial pilot certificates because the recency of experience incorporated into the rule is no longer appropriate due to the lapse of time between now and the 12-month period specified in the rule. However, the holder of an airline transport pilot certificate would be given this privilege of exchange if he has had at least 10 hours as pilot in command of a gyroplane within the 12-month period before he applies.

In consideration of the foregoing, it is proposed to amend Part 61 [New] of Chapter I of Title 14 of the Code of Federal Regulations as follows:

1. By amending § 61.15 to read as follows:

§ 61.15 Aircraft ratings.

(a) The category ratings to be placed on private, commercial, and airline transport pilot certificates are—

(1) Airplane;
(2) Rotorcraft;
(3) Glider; and
(4) Lighter-than-air.

(b) When applicable, the airplane class ratings to be placed on private, commercial, and airline transport pilot certificates are—

(1) Single-engine land;
(2) Multiengine land;
(3) Single-engine sea; and
(4) Multiengine sea.

(c) Where applicable, the rotocraft class ratings to be placed on pilot certificates are—

(1) Gyroplane; and
(2) Helicopter.

If he qualified originally in a helicopter he may obtain a gyroplane class rating without a further showing if he has had

at least 10 hours as pilot in command of a gyroplane within the 12-month period before he applies; however, he may not apply after [12 months after the last day of the month in which this amendment becomes effective].

(i) The holder of a certificate named in paragraph (e), (f), or (h) need not have a current medical certificate to make the exchange of ratings specified in those paragraphs.

2. By adding a new § 61.16 to read as follows:

§ 61.16 General limitations.

(a) *Type ratings required.* No person may act as pilot in command of any of the following unless he holds a type rating for that aircraft—

(1) A large aircraft;

(2) A turbojet powered airplane; or

(3) A helicopter, for operations requiring an airline transport pilot certificate.

However, subparagraphs (1) and (2) of this paragraph do not apply to an aircraft operated under an authorization issued by a Flight Standards District Office.

(d) In addition to the category and class ratings in paragraphs (a), (b), and (c) of this section, the name of each type of large aircraft or turbojet powered airplane for which a pilot is rated is placed on his certificate if that type of aircraft is certificated by the Administrator for civil operations. In the case of airline transport pilots, a helicopter type rating is issued for each type of helicopter.

(e) The holder of a pilot certificate with a rotorcraft category rating issued before July 12, 1962, may not continue to exercise the privileges of that rating, but may, without a further showing of competence, exchange his rotorcraft category rating for a rotorcraft category rating with a class rating determined by the class of rotorcraft in which he originally qualified for a rotorcraft rating whether by flight test or on the basis of military competence.

(f) The holder of a pilot certificate with a helicopter or autogiro category rating may not continue to exercise the privileges of that rating, but may, without a further showing of competence, exchange his helicopter rating for a rotorcraft category rating with a helicopter class rating, and his autogiro category rating for a rotorcraft category rating with a gyroplane class rating, by presenting his certificate for exchange.

(g) Notwithstanding paragraph (e) or (f) of this section, the holder of an airline transport pilot certificate with—

(1) A helicopter category rating;

(2) An autogiro category rating; or

(3) A rotorcraft category rating without a helicopter or gyroplane class rating; may continue to exercise the privileges of that rating until [six months after the effective date of this amendment].

(h) The holder of an airline transport pilot certificate with a rating specified in paragraph (g) may not exercise the privileges of that rating after [six months after the effective date of this amendment] unless he has, without a further showing of competence, exchanged his—

(1) Helicopter category rating for a rotorcraft category rating with a helicopter class and type rating;

(2) Autogiro category rating for a rotorcraft category rating with a gyroplane class rating; or

(3) Rotorcraft category rating without a class rating for a rating in accordance with paragraph (e) or (f) of this section, as applicable.

(b) *Small complex aircraft flight check.* No person may act as pilot in command of a small complex aircraft that is carrying another person or is operated for compensation or hire, nor may he, for compensation or hire, act as pilot in command of that aircraft, unless—

(1) He holds a type rating for that aircraft; or

(2) In addition to holding the appropriate aircraft category and class rating, he has—

(i) Acted as pilot in command of that aircraft type and logged that flight time before [the effective date of this amendment]; or

(ii) Passed a flight check in that type of aircraft, given by either a certificated flight instructor or an FAA inspector, and the person giving the flight check has endorsed in the applicant's logbook that the applicant has satisfactorily completed a flight check in that type of aircraft, and has entered his signature and flight instructor number, or FAA inspector title, as the case may be.

However, this paragraph does not apply to a pilot employed by an air carrier or a commercial operator who has been flight checked by his employer in the type of small complex aircraft to be flown, under a pilot training program approved by the Administrator, if the company check pilot or a certificated flight instructor has endorsed the pilot's logbook as specified in subparagraph (2)(ii) of this paragraph, together with the name of the employing operator.

(c) *Flight check maneuvers.* The flight check prescribed by paragraph (b) of this section duplicates in that type of aircraft the procedures, maneuvers, and techniques required for the issue of an additional class rating. In addition, in the case of airplanes, the pilot must show his ability to control the airplane in flight solely by reference to instruments under the standards of § 61.87(c) in the case of a private pilot, or § 61.117(c) in the case of a commercial pilot, an airline transport pilot, or a certificated flight instructor.

(d) *Small complex aircraft definition.* For the purposes of this Part, a small complex aircraft means—

(1) A small turbopropeller powered airplane;

(2) A small helicopter; or

(3) A small airplane equipped with—

(i) Retractable landing gear;

(ii) Flaps; and

(iii) Controllable pitch propeller.

(e) *Small aircraft: carrying another person or for compensation or hire.* Unless he holds a category (and class, if issued) rating for that aircraft, no person may act as pilot in command of a small aircraft that is carrying another person, or is operated for compensation or hire, nor may he, for compensation or hire, act as pilot in command of that aircraft.

(f) *Small aircraft: soloing not for compensation or hire.* No person may act as pilot in command of a small aircraft in operations conducted other than under paragraph (e) of this section, unless he—

(1) Holds a category (and class, if issued) rating appropriate to that aircraft;

(2) Has soloed and logged that flight time in that category (and class, if issued) of aircraft before [the effective date of this amendment];

(3) Has made and logged at least three takeoffs and landings to a full stop in that category (and class, if issued) of aircraft, as the sole manipulator of the controls, while accompanied by a pilot who is entitled to carry passengers in that aircraft; or

(4) Has made and logged at least three takeoffs and landings to a full stop while operating under an authorization issued by a Flight Standards District Office.

However, the holder of a pilot certificate with an airplane category rating may solo gliders without complying with this paragraph.

(g) *Exception.* The rating limitations of this section do not apply to—

(1) The holder of a student pilot certificate;

(2) The holder of a pilot certificate when operating an aircraft under the authority of an experimental or provisional type certificate;

(3) The holder of a pilot certificate when taking a flight test given by the Administrator; or

(4) The holder of a pilot certificate with a lighter-than-air category rating when operating a free balloon.

3. By amending § 61.17 as follows:

a. By amending the section heading to read as follows:

§ 61.17 Type ratings and additional aircraft ratings (other than airline transport and lighter-than-air).

b. By amending paragraph (a) to read as follows:

(a) *General.* To be eligible for an additional aircraft rating (other than a type rating) after his certificate is issued to him, an applicant must meet the requirements of paragraphs (b) through (f) of this section as appropriate to the rating sought. Each applicant must perform the procedures and maneuvers specified in those paragraphs, as applicable, that are not required for the certificates and ratings that he already holds. An applicant for an original or additional type rating must meet the requirements of paragraph (g) of this section; however, if he is applying for a type rating and will receive a category rating or original issue of a pilot certificate based on that type of aircraft, he must also meet the other requirements for that rating or certificate, as the case may be.

c. By striking out the word "additional" in the heading to paragraph (g).

d. By amending the introductory text to subparagraph (g)(1) to read as follows:

(1) An applicant for an original or additional type rating must * * *

4. By amending paragraph (f) of § 61.39 to read as follows:

(f) *Inspection of pilot logbooks.* A pilot who keeps a logbook under this section shall present it for inspection upon the request of, and after reasonable notice by, the Administrator, an authorized representative of the Civil Aeronautics Board, or any State or local law enforcement officer.

5. By adding the following new paragraph at the end of § 61.47:

(g) *Credit given for flight tests or checks.* A pilot who has successfully passed a flight test or complex aircraft flight check is considered to have complied with the paragraph of this section that is appropriate to the flight test or check.

6. By striking out paragraph (b) of § 61.101.

7. By amending § 61.131 to read as follows:

§ 61.131 General privileges and limitations.

(a) Subject to § 61.16, a commercial pilot may serve as pilot in command of an aircraft for compensation or hire.

(b) A commercial glider pilot may give flight instruction in gliders. A commercial lighter-than-air pilot may give flight instruction in lighter-than-air aircraft.

8. By amending § 61.147(b) to read as follows:

§ 61.147 Airplane rating: aeronautical skill.

* * * * *

(b) The holder of an airline transport pilot certificate who applies for an airplane type or additional airplane class rating must, for that type or class rating, pass a flight test involving the maneuvers listed in subparagraphs (a) (1) through (5), (7) through (14), (16), (17), (21), (22), and (24) through (31) of this section. The maneuvers required by subparagraphs (7), (8), (14), (16), (21), (22), (24), and (26) must be performed solely by reference to instruments.

9. By amending § 61.159 to read as follows:

§ 61.159 Additional ratings.

The holder of an airline transport pilot certificate who applies for an additional class or type rating must show that he is able to pilot aircraft of that class or type for which he seeks a rating, by performing the maneuvers listed in § 61.147(b) in the case of airplanes, or § 61.155 in the case of rotorcraft.

10. By striking out paragraph (b) and the paragraph designation "(a)" in § 61.165.

11. By adding the following new paragraph at the end of § 61.177:

(e) A flight instructor may endorse a pilot logbook for a small complex aircraft flight check only if he has given that flight check and has himself satisfied, according to the pilot certificate he holds, the requirements of § 61.16(b) (1) or (2).

This amendment is proposed under the authority of sections 313(a), 601, and 602 of the Federal Aviation Act of 1958 (49 U.S.C. 1354, 1421, 1422).

Issued in Washington, D.C., on September 4, 1964.

G. S. MOORE,
Director, Flight Standards Service.

[F.R. Doc. 64-9409; Filed, Sept. 16, 1964; 8:45 a.m.]

[14 CFR Part 159 [New]]

[Reg. Docket No. 6205; Notice 64-43]

NATIONAL CAPITAL AIRPORTS

Applicability of Virginia Motor Vehicle Law on National Capital Airports

The Federal Aviation Agency has under consideration a proposal to amend Part 159 [New] of the Federal Aviation Regulations. It is proposed to amend the provision which gives notice of the applicability of the Virginia motor vehicle operation laws at the airport by incorporating prohibitions of these laws in Part 159 of the Federal Aviation Regulations.

Interested persons are invited to participate in the making of the proposed rule by submitting such written data, views, or arguments as they may desire. Communications should identify the regulatory docket or notice number and be submitted in duplicate to the Federal Aviation Agency, Office of the General Counsel: Attention Rules Docket, 800 Independence Avenue SW., Washington, D.C., 20553. All communications received on or before November 9, 1964, will be considered by the Administrator before taking action on the proposed rule. The proposal contained in this notice may be changed in the light of comments received. All comments submitted will be available, both before and after the closing date for comments, in the Docket Section for examination by interested persons.

Knowing and willful violations of rules in this part constitute petty offenses and are subject to the maximum penalty of a fine of $500 and imprisonment for six months (Section 5 of the Washington National Airport Act of June 29, 1950, 54 Stat. 686, as amended, 61 Stat. 94, and Section 10 of the Second Washington Airport Act of September 7, 1940, 64 Stat. 770, as amended; 18 U.S.C. 1(3); § 159.171). As noted in § 159.11, a federal statute makes the laws of the Commonwealth of Virginia governing operation of motor vehicles on public highways apply on the airports. This includes the penalties provided in these laws which in many instances are greater than those for violations of Part 159.

To simplify enforcement and make it more uniform, it is proposed to add a new provision to Part 159 to the effect that the prohibitions of the Virginia motor vehicle traffic regulation laws which carry those higher penalties are incorporated into Part 159 by reference. Violations of these prohibitions could then be prosecuted as petty offenses under the same maximum penalties as violations of other provisions of Part 159 and would then be cognizable before United States Commissioners unless the person charged elects to be tried in the United States District Court, 18 U.S.C. 3401.

In consideration of the foregoing, it is proposed to amend Part 159 [New] of the Federal Aviation Regulations, 14 CFR Part 159:

1. By amending § 159.11 to read as follows:

§ 159.11 Applicability of Virginia laws.

(a) Section 13 of Title 18 of the United States Code makes applicable on Dulles International Airport and on Washington National Airport the laws of the Commonwealth of Virginia governing operation of motor vehicles on public highways to the extent that those laws are not inconsistent with this part.

(b) The rules of conduct and prohibitions of Chapter 4, Regulation of Traffic, of title 46.1, Motor Vehicles, of the Code of Virginia, 1950, as amended, which carry penalties greater than a fine of not more than $500 or imprisonment not exceeding six months, or both, are hereby incorporated by reference as provisions of this part to the extent that they are applicable by their terms to the circumstances at the airport and not inconsistent with provisions specifically set forth in this part. The penalties provided by Virginia law for violations of these rules and prohibitions are not incorporated.

2. By amending § 159.171(a) to read as follows:

(a) Any person who willfully and knowingly violates a rule prescribed in this Part, including any provision incorporated by reference, or an order or instruction issued * * * (remainder unchanged).

These amendments are proposed under the authority of the Washington National Airport Act (54 Stat. 686), as amended, and the Second Washington Airport Act (64 Stat. 770), as amended.

Issued in Washington, D.C., on September 10, 1964.

G. WARD HOBBS,
Director, Bureau of National Capital Airports.

[F.R. Doc. 64-9410; Filed, Sept. 16, 1964; 8:45 a.m.]

[14 CFR Part 507]

[Reg. Docket No. 1992]

AIRWORTHINESS DIRECTIVES

Douglas DC-8 Series Aircraft

The Federal Aviation Agency has under consideration a proposal to amend Part 507 of the regulations of the Administrator to include an airworthiness directive for Douglas Model DC-8 Series aircraft. Notice of Proposed Rule Making published in 28 F.R. 10753, required inspection of the wing flap drive link assembly and rework or replacement of any parts found cracked. In view of the comments received and as a result of

service experience and further fatigue cycle testing, the initial proposal is hereby withdrawn and a new notice of proposed rule making is substituted incorporating the maximum time limits for reworking flap drive link assemblies.

Interested persons are invited to participate in the making of the proposed rule by submitting such written data, views, or arguments as they may desire. Communications should identify the regulatory docket number and be submitted in duplicate to the Federal Aviation Agency, Office of the General Counsel, Attention: Rules Docket, 800 Independence Avenue SW., Washington, D.C., 20553. All communications received on or before October 19, 1964, will be considered by the Administrator before taking action upon the proposed rule. The proposals contained in this notice may be changed in the light of comments received. All comments will be available, both before and after the closing date for comments, in the Rules Docket for examination by interested persons.

This amendment is proposed under the authority of Sections 313(a), 601 and 603 of the Federal Aviation Act of 1958 (72 Stat. 752, 775, 776; 49 U.S.C. 1354(a), 1421, 1423).

In consideration of the foregoing, it is proposed to amend § 507.10(a) of Part 507 (14 CFR Part 507), by adding the following airworthiness directive:

DOUGLAS. Applies to Model DC-8 Series aircraft (except Model DC-8F) Serial Numbers 45252 through 45638, 45641 through 45650, 45652, 45656 through 45662, 45665, 45670, 45672 and 45673.

Compliance required as indicated.

There have been several failures of the flap system due to cracking of the wing flap drive link assemblies at Wing Stations $X_w = 97.906$ and $X_f = 219.498$. In some instances these failures have resulted in an asymmetric flap condition caused by jamming of the flap actuating mechanism. To correct this condition, accomplish the following:

(a) Replace inboard flap drive links, P/N's 5644642-501 and -505, 5714890, or 5767586 at Wing Station $X_w = 97.906$ and midwing flap drive links, P/N's 5644644-501, 5714888, or 5767589 at Wing Station $X_f = 219.498$, which have the lubrication fitting located on the outer periphery of the attach lug and which have the $1\frac{3}{16}$ "A" dimension, shown in paragraph 2(A) of DC-8 Service Bulletin No. 27-137 Reissue No. 2, dated May 30, 1964, in accordance with the following:

(1) Within 500 hours' time in service after the effective date of this AD, replace flap drive links having more than 11,000 hours' time in service on the effective date of this AD which have not been reworked in accordance with paragraph (e) prior to the accumulation of 11,000 hours' time in service.

(2) Prior to the accumulation of 6,600 hours' time in service, replace flap drive links which are installed new after the effective date of this AD. When these parts are reworked in accordance with paragraph (e) prior to the accumulation of 6,600 hours' time in service they may be used for an additional time not to exceed 11,000 hours' time in service from the time of rework.

(3) Prior to the accumulation of 11,000 hours' time in service replace flap drive links which have been reworked in accordance with paragraph (e) prior to installation.

(b) Flap drive links described in paragraph (a) which incorporate the rework specified in paragraphs (d) and (e) may be continued in service for an additional 11,000 hours' time in service from the time of rework but not in excess of 17,600 hours' total time in service.

(c) Replace flap drive links which do not have the lubrication fitting located on the outer periphery of the attach lug (lubrication fitting located on the inside of the lug surface) and which have the dimension "A" described in paragraph (a) in accordance with the following:

(1) Within 500 hours' time in service from the effective date of this AD, replace flap drive links with 10,500 or more hours' time in service on the effective date of this AD.

(2) Prior to the accumulation of 11,000 hours' time in service, replace flap drive links with less than 10,500 hours' time in service on the effective date of this AD.

(d) Rework in accordance with paragraph (e) those flap drive links specified in paragraph (a) as follows:

(1) Rework flap drive links having 5,500 or less hours' time in service as of the effective date of this AD prior to the accumulation of 6,600 hours' time in service.

(2) Rework flap drive links having more than 5,500 hours' time in service and less than 9,900 hours' time in service as of the effective date of this AD within the next 1,100 hours' time in service after the effective date of this AD.

(3) Rework flap drive links having 9,900 or more hours' time in service but less than 11,000 hours' time in service as of the effective date of this AD prior to the accumulation of 11,000 hours' time in service, or replace them in accordance with paragraph (a)(1).

(e) Remove attach bolt P/N 2713573 and sleeve bushing P/N 2766396, located at the flap compensating link attachment to the flap drive links and rework the flap drive link in accordance with instructions outlined in paragraph 2B(1) of DC-8 Service Bulletin No. 27-137 or in accordance with an FAA approved equivalent. Reidentify flap drive links that have been reworked in a manner that permits ready identification of the reworked part.

(f) Subsequent to the rework in paragraph (e) and prior to returning the flap link to service, visually inspect the flap drive link for cracks in the backspotfaced rework area around the lubrication hole. If cracks are found, replace flap drive links.

(Douglas DC-8 Service Bulletin No. 27-137, Revision No. 1 dated January 8, 1964, covers this same subject.)

Issued in Washington, D.C., on September 10, 1964.

C. W. WALKER,
Acting Director,
Flight Standards Service.

[F.R. Doc. 64-9411; Filed, Sept. 16, 1964; 8:46 a.m.]

DEPARTMENT OF THE INTERIOR

Fish and Wildlife Service

[50 CFR Parts 32, 33]

MERRITT ISLAND NATIONAL WILDLIFE REFUGE, FLORIDA

Addition to List of Open Areas for Migratory Game Birds and Sport Fishing

Notice is hereby given that pursuant to the authority vested in the Secretary of the Interior by the Migratory Bird Conservation Act of February 18, 1929, as amended (45 Stat. 1222; 16 U.S.C. 715), it is proposed to amend 50 CFR 32.11 and 33.4 by the addition of the Merritt Island National Wildlife Refuge, Fla., to the list of wildlife refuge areas open to the public for the hunting of migratory game birds and sport fishing as legislatively permitted.

It has been determined that the regulated hunting of migratory game birds and sport fishing may be permitted on the Merritt Island National Wildlife Refuge without detriment to the objectives for which the area was established.

It is the policy of the Department of the Interior, whenever practicable, to afford the public an opportunity to participate in the rulemaking process. Accordingly, interested persons may submit written comments, suggestions, or objections, with respect to this proposed amendment, to the Director, Bureau of Sport Fisheries and Wildlife, Washington, D.C., 20240, within 30 days of the date of publication of this notice in the FEDERAL REGISTER.

1. Section 32.11 is amended by the addition of the following area as one where hunting of migratory game birds is authorized:

§ 32.11 List of open areas; migratory game birds.

* * * * *

FLORIDA

MERRITT ISLAND NATIONAL WILDLIFE REFUGE

2. Section 33.4 is amended by the addition of the following area as one where sport fishing is authorized:

§ 33.4 List of open areas; sport fishing.

* * * * *

FLORIDA

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ROBERT M. PAUL,
Deputy Assistant
Secretary of the Interior.

SEPTEMBER 14, 1964.

[F.R. Doc. 64-9438; Filed, Sept. 16, 1964; 8:48 a.m.]

FEDERAL DEPOSIT INSURANCE CORPORATION

[12 CFR Part 335]

SECURITIES OF INSURED STATE NONMEMBER BANKS

Notice of Proposed Rule Making

The Board of Directors of the Federal Deposit Insurance Corporation is considering the adoption of additional regulations to be added to the new Part 335 (12 CFR Part 301) pursuant to the provisions of Public Law 88-467 of the 88th Congress, 2d Session, approved August 20, 1964. The additional regulations supplement those published in the FEDERAL REGISTER for comment on Wednesday, August 26, 1964. Portions of the regulations and forms are yet reserved for later publication.

The proposed additions to Part 335 are as follows:

§ 335.6 Reports of directors, officers, and principal stockholders.

(a) *Filing of statements.* (1) Initial statements of beneficial ownership of equity securities of a registrant bank required by section 16(a) of the Act shall be filed on Form _____. Statements of changes in such beneficial ownership required by that section shall be filed on Form _____. All such statements shall be prepared and filed in accordance with the requirements of the applicable form.

(2) A person who is already filing statements with the Corporation pursuant to section 16(a) of the Act need not file an additional statement on Form _____ when an additional class of equity securities of the same bank becomes registered or when he assumes another or an additional relationship to the bank; for example, when an officer becomes a director.

(3) Any bank that has equity securities listed on more than one national securities exchange may designate one of them as the only exchange with which reports pursuant to section 16(a) of the Act need be filed. Such designation shall be filed with the Corporation and with each national securities exchange on which any equity security of the bank is listed. After the filing of such designation, the securities of such bank shall be exempted with respect to the filing of statements pursuant to section 16(a) of the Act with any exchange other than the designated exchange.

(b) *Ownership of more than 10 percent of an equity security.* In determining, for the purpose of section 16(a), whether a person is the beneficial owner, directly or indirectly, of more than 10 percent of any class of equity security of a registrant bank, such class shall be deemed to consist of the amount of such class that has been issued, regardless of whether any part of such amount is held by or for the account of the bank.

(c) *Ownership of securities held in trust.* (1) Beneficial ownership of a registrant bank's securities for the purpose of section 16(a) of the Act shall include: (i) the ownership of such securities as a trustee where either the trustee or members of his immediate family have a vested interest in the income or corpus of the trust, (ii) the ownership of a vested beneficial interest in a trust, and (iii) the ownership of such securities as a settlor of a trust in which the settlor has the power to revoke the trust without obtaining the consent of all beneficiaries.

(2) Except as provided in subparagraph (3) of this paragraph (c), beneficial ownership of securities of registrant banks solely as a settlor or beneficiary of a trust shall be exempt from the provisions of section 16(a) of the Act where less than 20 percent in market value of the securities having a readily ascertainable market value held by such trust (determined as of the end of the preceding fiscal year of the trust) consists of equity securities with respect to which reports are required by section 16(a) or would be required but for an exemption by the Securities and Exchange Commission, the Comptroller of the Currency, or the Board of Governors of the Federal Reserve System similar to the exemption provided for by this sentence. Exemption is likewise accorded from section 16(a) of the Act with respect to any obligation that would otherwise be imposed solely by reason of ownership as settlor or beneficiary of a registrant bank's securities held in trust, where the ownership, acquisition, or disposition of such securities by the trust is made without prior approval by the settlor or beneficiary. No exemption pursuant to this subparagraph shall, however, be acquired or lost solely as a result of changes in the value of the trust assets during any fiscal year or during any time when there is no transaction by the trust in the securities otherwise subject to the reporting requirements of section 16(a) of the Act.

(3) In the event that 10 percent of any class of any equity security of a registrant bank is held in a trust, that trust and the trustees thereof as such shall be deemed a person required to file the reports specified in section 16(a) of the Act.

(4) No more than one report need be filed to report any holdings of a registrant bank's securities or with respect to any transaction in such securities held by a trust, regardless of the number of officers, directors, or 10-percent stockholders who are either trustees, settlors, or beneficiaries of a trust if the report filed discloses the names of all trustees, settlors, and beneficiaries who are officers, directors, or 10-percent stockholders. A person having an interest only as a beneficiary of a trust shall not be required to file any such report so long as he relies in good faith upon an understanding that the trustee of such trust will file whatever reports might otherwise be required of such beneficiary.

(5) As used in this paragraph (c), the "immediate family" of a trustee means: (i) a son or daughter of the trustee or a descendant of either, (ii) a stepson or stepdaughter of the trustee, (iii) the father or mother of the trustee or an ancestor of either, (iv) a stepfather or stepmother of the trustee, (v) the spouse of the trustee. For the purpose of determining whether any of the foregoing relationships exist, a legally adopted child of a person shall be considered a child of such person by blood.

(6) In determining, for the purposes of paragraph (a) of this section, whether a person is the beneficial owner, directly or indirectly, of more than 10 percent of any class of any equity security of a registrant bank, the interest of such person in the remainder of a trust shall be excluded.

(7) No report shall be required by any person, whether or not otherwise subject to the requirement of filing reports under section 16(a) with respect to his indirect interest in portfolio securities held by (i) any holding company registered under the Public Utility Holding Company Act, (ii) any investment company registered under the Investment Company Act, (iii) a pension or retirement plan holding securities of an issuer whose employees generally are the beneficiaries of the plan, (iv) a business trust with over 25 beneficiaries.

(d) *Certain transactions subject to section 16(a) of the Act.* The acquisition or disposition of any transferable option, put, call, spread, or straddle shall be deemed such a change in the beneficial ownership of the registrant bank's security to which such privilege relates as to require the filing of a statement reflecting the acquisition or disposition of such privilege. Nothing in this paragraph, however, shall exempt any person from filing the statements required upon the exercise of such option, put, call, spread, or straddle.

(e) *Exemption from section 16 of securities purchased or sold by odd-lot dealers.* A registrant bank's securities purchased or sold by an odd-lot dealer (1) in odd lots so far as reasonably necessary to carry on odd-lot transactions or (2) in round lots to offset odd-lot transactions previously or simultaneously executed or reasonably anticipated in the usual course of business, shall be exempt from the provisions of section 16 of the Act with respect to participation by such odd-lot dealer in such transactions.

(f) *Exemption of small transactions from section 16(a).* (1) Any acquisition of a registrant bank's securities shall be exempt from section 16(a) of the Act where (i) the person effecting the acquisition does not within 6 months thereafter effect any disposition, otherwise than by way of gift, of securities of the same class, and (ii) the person effecting such acquisition does not participate in acquisitions or in dispositions of securities of the same class having a total market value in excess of $3,000 for any 6-months period during which the acquisition occurs.

(2) Any acquisition or disposition of a registrant bank's securities by way of gift, where the total amount of such gifts does not exceed $3,000 in market value for any 6-months period, shall be exempt from section 16(a) of the Act and may be excluded from the computations prescribed in subparagraph (1)(i) of this paragraph (f).

(3) Any person exempted by subparagraphs (1) or (2) of this paragraph (f) shall include in the first report filed by him after a transaction within the exemption a statement showing his acquisitions and dispositions for each 6-months period or portion thereof that has elapsed since his last filing.

(g) *Temporary exemption of certain persons from sections 16 (a) and (b).* During the period of 12 months following their appointment and qualification, a registrant bank's securities held by the following persons shall be exempt from sections 16(a) and 16(b) of the Act: (i) executors or administrators of the estate of a decedent; (ii) guardians or committees for an incompetent; and (iii) receivers, trustees in bankruptcy, assignees for the benefit of creditors, conservators, liquidating agents, and similar persons duly authorized by law to administer the estate or assets of other persons. After the 12-month period following their appointment and qualification the foregoing persons shall be required to file reports under section 16(a) with respect to a registrant bank's securities held by the estates that they administer and shall be liable for profits realized from trading in such securities pursuant to section 16(b) only when the estate being administered is a beneficial owner

of more than 10 percent of any class of equity security of a registrant bank.

(h) *Exemption from section 16(b) of transactions that need not be reported under section 16(a).* Any transaction that has been or shall be exempted by the Corporation from the requirements of section 16(a) shall, insofar as it is otherwise subject to the provisions of section 16(b), be likewise exempted from section 16(b).

(i) *Exemption from section 16(b) of certain transactions by registered investment companies.* Any transaction of purchase and sale, or sale and purchase, of any equity security of a registrant bank shall be exempt from the operation of section 16(b) of the Act, as not comprehended within the purpose of that section, if the transaction is effected by an investment company registered under the Investment Company Act of 1940 and both the purchase and sale of such security have been exempted from the provisions of section 17(a) of the Investment Company Act of 1940 by an order of the Securities and Exchange Commission entered pursuant to section 17 (b) of that Act.

(j) *Exemption from section 16(b) of acquisitions of shares of stock and restricted stock options under certain stock bonus, stock option, or similar plans.* Any acquisition of shares of a registrant bank's stock (other than stock acquired upon the exercise of an option, warrant, or right) pursuant to a stock bonus, profit sharing, retirement, incentive, thrift, savings, or similar plan, or any acquisition of a restricted stock option pursuant to a restricted stock option plan, by a director or officer of the bank issuing such stock or restricted stock option shall be exempt from the operation of section 16(b) of the Act if the plan meets the following conditions:

(1) The plan has been duly approved, directly or indirectly, (i) by the holders of a majority of the securities of the bank present, or represented, and entitled to vote at a meeting for which proxies were solicited substantially in accordance with the requirements of section 335.5, or by the written consent of the holders of a majority of the securities of the bank entitled to vote solicited substantially in accordance with such requirements, whether or not such requirements were applicable to such solicitations; or (ii) by the holders of a majority of the securities of a predecessor entitled to vote, in the manner specified in subdivision (i) of this subparagraph, if the plan or obligations to participate thereunder were assumed by the bank in connection with the succession.

(2) If the selection of any director or officer of the bank to whom stock may be allocated (or to whom restricted stock options may be granted pursuant to the plan) or the determination of the number or maximum number of shares of stock that may be allocated to any such director or officer (or that may be covered by restricted stock options granted to any such director or officer) is subject to the discretion of any person, then such discretion shall be exercised only as follows: (i) with respect to the participation of directors (*a*) by the board of directors of the bank, a majority of which board and a majority of the directors acting in the matter are disinterested persons; (*b*) by, or only in accordance with the recommendation of, a committee of three or more persons having full authority to act in the matter, all of the members of which committee are disinterested persons; or (*c*) otherwise in accordance with the plan, if the plan specifies the number or maximum number of shares of stock that directors may acquire (or that may be subject to restricted stock options granted to directors) and the terms upon which and the times at which, or the periods within which, such stock may be acquired (or such options may be acquired and exercised); or sets forth, by formula or otherwise, effective and determinable limitations with respect to the foregoing based upon earnings of the bank, dividends paid, compensation received by participants, option prices, market value of shares, outstanding shares or percentages thereof outstanding from time to time, or similar factors; (i) with respect to the participation of officers who are not directors (*a*) by the board of directors of the bank or a committee of three or more directors; or (*b*) by, or only in accordance with the recommendations of, a committee of three or more persons having full authority to act in the matter, all of the members of which committee are disinterested persons. For the purposes of this subparagraph (2), a director or committee member shall be deemed to be a disinterested person only if such person is not at the time such discretion is exercised eligible and has not at any time within one year prior thereto been eligible for selection as a person to whom stock may be allocated (or to whom restricted stock options may be granted) pursuant to the plan or any other plan of the bank or any of its affiliates entitling the participants therein to acquire stock or restricted stock options of the bank or any of its affiliates.

(3) As to each participant or as to all participants the plan effectively limits the aggregate dollar amount or the aggregate number of shares of stock that may be allocated (or may be subject to restricted stock options granted) pursuant to the plan. The limitations may be established on an annual basis, or for the duration of the plan, whether or not the plan has a fixed termination date. Such limitations may be determined either by fixed or maximum dollar amounts, fixed or maximum numbers of shares, formulas based upon earnings of the bank, dividends paid, compensation received by participants, option prices, market value of shares, outstanding shares or percentages thereof outstanding from time to time, or similar factors that will result in an effective and determinable limitation. Such limitations may be subject to any provisions for adjustment of the plan or of stock allocable (or options outstanding thereunder) to prevent dilution or enlargement of rights.

(k) *Exemption from section 16(b) of long-term profits incident to sales within six months of the exercise of an option.* (1) To the extent specified in subparagraph (2), any transaction of purchase and sale, or sale and purchase, of any equity security of a registrant bank shall be exempt from the operation of section 16(b) of the Act, as not comprehended within the purpose of that section, if such purchase is pursuant to the exercise of an option, warrant, or right either (i) acquired more than six months before its exercise, or (ii) acquired pursuant to the terms of an employment contract entered into more than six months before its exercise.

(2) With respect to transactions specified in subparagraph (1) the profits inuring to the bank pursuant to section 16 (b) shall not exceed the difference between the proceeds of sale and the lowest market price of any security of the same class within six months before or after the date of sale. Nothing in this paragraph (k) shall be deemed to enlarge the amount of profit that would inure to the bank in the absence of this paragraph.

(3) The disposition of any equity security of a registrant bank shall also be exempt from the operation of section 16(b) of the Act, as not comprehended within the purpose of that section, if purchased in a transaction specified in subparagraph (1) pursuant to a plan or agreement for merger or consolidation, or reclassification of the bank's securities, or for the exchange of its securities for the securities of another person that has acquired its assets, where the terms of such plan or agreement are binding upon all stockholders of the bank except to the extent that dissenting stockholders may be entitled, under statutory provisions or provisions contained in the bank's charter, to receive the appraised or fair value of their holdings.

(4) The exemptions provided by this paragraph shall not apply to any transaction made unlawful by section 16(c) of the Act or by any regulations thereunder.

(5) The burden of establishing market price of a security for the purpose of this paragraph (k) shall rest upon the person claiming the exemption.

(l) *Exemption of certain securities from section 16(c).* Any equity security of a registrant bank shall be exempt from the operation of section 16(c) of the Act to the extent necessary to render lawful under such section the execution by a broker of an order for an account in which he has no direct or indirect interest.

(m) *Exemption from section 16(c) of certain transactions effected in connection with a distribution.* Any equity security of a registrant bank shall be exempt from the operation of section 16(c) of the Act to the extent necessary to render lawful under such section any sale made by or on behalf of a dealer in connection with a distribution of a substantial block of the bank's securities, upon the following conditions:

(1) The sale is made with respect to an over-allotment in which the dealer is participating as a member of an underwriting group, or the dealer or a person acting on his behalf intends in good faith to offset such sale with a security to be acquired by or on behalf of

the dealer as a participant in an underwriting, selling, or soliciting-dealer group of which the dealer is a member at the time of the sale, whether or not the security to be so acquired is subject to a prior offering to existing security holders or some other class of persons; and

(2) Other persons not within the purview of section 16(c) of the Act are participating in the distribution of such block of securities on terms at least as favorable as those on which such dealer is participating and to an extent at least equal to the aggregate participation of all persons exempted from the provisions of section 16(c) of the Act by this paragraph (m). The performance of the functions of manager of a distributing group and the receipt of a bona fide payment for performing such functions shall not, however, preclude an exemption that would otherwise be available under this paragraph.

(n) *Exemption of sales of securities to be acquired.* (1) Whenever any person is entitled, as an incident to his ownership of an issued equity security of a registrant bank and without the payment of consideration, to receive another security of the bank "when issued" or "when distributed," the security to be acquired shall be exempt from the operation of section 16(c) of the Act if (i) the sale is made subject to the same conditions as those attaching to the right of acquisition, and (ii) such person exercises reasonable diligence to deliver such security to the purchaser promptly after his right of acquisition matures, and (iii) such person reports the sale on the appropriate form for reporting transactions by persons subject to section 16(a) of the Act.

(2) This paragraph (n) shall not be construed as exempting transactions involving both a sale of a security "when issued" or "when distributed" and a sale of the security by virtue of which the seller expects to receive the "when-issued" or "when-distributed" security, if the two transactions combined result in a sale of more units than the aggregate of those owned by the seller plus those to be received by him pursuant to his right of acquisition.

(o) *Arbitrage transactions under section 16.* It shall be unlawful for any director or officer of a registrant bank to effect any foreign or domestic arbitrage transaction in any equity security of the bank unless he shall include such transaction in the statements required by section 16(a) of the Act and paragraph (a) and shall account to such bank for the profits arising from such transaction, as provided in section 16(b) of the Act. The provisions of section 16(c) of the Act shall not apply to such arbitrage transactions. The provisions of paragraph (a) and of section 16 of the Act shall not apply to any bona fide foreign or domestic arbitrage transaction insofar as it is effected by any person other than such director or officer of the bank issuing such security.

§ 335.7 Form and content of financial statements.

(a) *Qualifications of accountants.* (1) The Corporation will not recognize any person as a certified public accountant who is not duly registered and in good standing as such under the laws of the place of his residence or principal office. The Corporation will not recognize any person as a public accountant who is not in good standing and entitled to practice as such under the laws of the place of his residence or principal office.

(2) The Corporation will not recognize any certified public accountant or public accountant as independent who is not in fact independent. For example, an accountant will be considered not independent with respect to any person or any of its affiliates in which he has, or had during the period of report, any direct financial interest or material indirect financial interest; or with whom he is, or was during such period, connected as a promoter, underwriter, voting trustee, director, officer, or employee.

(3) In determining whether an accountant may in fact not be independent with respect to a particular person, the Corporation will give appropriate consideration to all relevant circumstances, including evidence bearing on all relationships between the accountant and that person or any affiliate thereof, and will not confine itself to the relationships existing in connection with the filing of reports with the Corporation.

(b) *Accountants' certificates*—(1) *Technical requirements.* The accountant's certificate shall be dated, shall be signed manually, and shall identify without detailed enumeration the financial statements covered by the certificate.

(2) *Representations as to the audit.* The accountant's certificate (i) shall state whether the audit was made in accordance with generally accepted auditing standards; and (ii) shall designate any auditing procedures generally recognized as normal (or deemed necessary by the accountant under the circumstances of the particular case) that have been omitted, and the reasons for their omission, but no procedure that indepedent accountants ordinarily employ in the course of an audit made for the purpose of expressing the opinions required by subparagraph (3) of this paragraph shall be omitted.

(3) *Opinions to be expressed.* The accountant's certificate shall state clearly: (i) the opinion of the accountant with respect to the financial statements covered by the certificate and the accounting principles and practices reflected therein; (ii) the opinion of the accountant as to any material changes in accounting principles or practices or method of applying the accounting principles or practices, or adjustments of the accounts, required to be set forth by paragraph (d)(7) of this section; and (iii) the nature of, and the opinion of the accountant as to, any material differences between the accounting principles and practices reflected in the financial statements and those reflected in the accounts after the entry of adjustments for the period under review.

(4) *Exceptions.* Any matters to which the accountant takes exception shall be clearly identified, the exception thereto stated specifically and clearly, and, to the extent practicable, the effect of each such matter on the related financial statements given.

(5) *Certification of financial statements by more than one accountant.* If, with respect to the certification of the financial statements of any bank, the principal accountant relies on an examination made by another independent public accountant of certain of the accounts of such bank or its affiliates, the certificate of such other accountant shall be filed (and the provisions of paragraph (a) of this section and this paragraph (b) of this section shall be applicable thereto); however, the certificate of such other accountant need not be filed (i) if no reference is made directly or indirectly to such other accountant's examination in the principal accountant's certificates, or (ii) if, having referred to such other accountant's examination, the principal accountant states in his certificate that he assumes responsibility for such other accountant's examination in the same manner as if it had been made by him.

(c) *Principles of financial reporting.* The following principles of financial reporting shall be used with respect to all financial statements filed with the Corporation pursuant to this part. Deviations will be permitted only where the financial statement would not be materially affected thereby.

(1) *Going concern concept.* This concept is based upon the premise that the bank will have an indefinite life and, therefore, costs incurred for the benefit of future accounting periods will be charged against the income of those periods.

(2) *Matching of income and expenses.* This principle relates to the determination of net income for a period; income and related expenses should be reported in the same period. If income received in one period is properly deferred to another period, any expenses relating to such income likewise should be deferred. The income tax effect of income and expense items should be recorded in the period in which these items are recognized in the accounts rather than the period in which reported for tax purposes.

(3) *Accrual basis.* As a general rule, accounting should be on the accrual basis to present fairly the financial position of a "going concern." This basis recognizes income and expenses when earned or incurred, regardless of the time of receipt or payment. The accrual concept includes the establishment of reserves by charges to current income when the realization of an asset (conversion to cash) may be in doubt. Financial statements prepared on a cash basis are a fair presentation of financial position and results of operations only in those instances where the results are not substantially different from those derived on the accrual basis.

(4) *Cost concept.* Assets or economic resources of an enterprise are its rights in tangible and intangible property that generally are acquired for a consideration expressed in money. The consideration, therefore, determines cost, and this should be based upon objective evidence. When an asset is purchased, the evidence is the cash outlay or the fair market value of any non-cash con-

sideration. When an asset has utility for a limited period, its cost should be systematically charged to expense. The portion of cost to be reported in a balance sheet is the amount assignable to future periods.

(5) *Consistency.* While alternative methods of accounting may be in accordance with accepted principles, a method should be consistently applied during an accounting period and in succeeding accounting periods to avoid distortion of the results. Where subsequent circumstances make a change desirable, disclosure as outlined in subparagraph (6) of this paragraph should be made.

(6) *Comparability.* Investors should have access to financial reports that are useful and meaningful as to the nature and trends of current changes affecting the enterprise. Generally, an inconsistent application of an accounting principle destroys proper comparability of financial statements. Any change in practice that affects comparability should be disclosed.

(7) *Determining the results of operations.* The results of operations for an accounting period should be designated clearly and should be determined in accordance with a presumption that all items of profit and loss recognized during the period are to be used in determining the figure reported as net income. The only exception to such presumption relates to items that in the aggregate are material in relation to net income and are clearly not identifiable with or do not result from the usual or typical business operations of the period.

(d) *Rules of general application*—(1) *Form, order, and terminology.* Financial statements may be filed in such form and order, and may use such generally accepted terminology, as will best indicate their significance and character in the light of the provisions applicable thereto. All money amounts required to be shown in financial statements may be expressed in even dollars or thousands of dollars. If even thousands of dollars are used, however, an indication to that effect must be inserted immediately beneath the caption of the statement or schedule, or at the top of each money column. The individual amounts shown need not be adjusted to the nearest dollar or thousand if the failure of the items to add to the totals shown is stated in a note as due to the dropping of amounts of less than $1.00 or $1,000, as appropriate.

(2) *Items not material.* If the amount that would otherwise be required to be shown with respect to any item is not material, it need not be separately set forth in the manner prescribed.

(3) *Inapplicable captions and omission of unrequired or inapplicable financial statements.* No caption need be shown in any financial statement as to which the items and conditions are not present. Financial statements not required or inapplicable because the required matter is not present need not be filed, but the statements omitted and the reasons for their omission shall be indicated in the list of financial statements required by the applicable form.

(4) *Omission of substantially identical notes.* If a note covering substantially the same subject matter is required with respect to two or more financial statements, the required information may be shown in a note to only one of such statements if a specific reference thereto is made in each of the others.

(5) *Omission of names of certain subsidiaries.* Notwithstanding the requirements as to particular statements, subsidaries, the names of which are permitted to be omitted from the list of affiliates required by the applicable form, need not be named in any financial statement. Reasonable grouping of such subsidiaries may be made, with an explanatory group caption that shall state the number of subsidiaries included in the group.

(6) *Additional information.* The information required with respect to any statement shall be furnished as a minimum requirement to which shall be added such further material information as is necessary to make the required statements, in the light of the circumstances under which they are made, not misleading.

(7) *Changes in accounting principles and practices and retroactive adjustments of accounts.* Any change in accounting principle or practice, or in the method of applying any accounting principle or practice, made during any period for which financial statements are filed that affects comparability of such financial statements with those of prior or future periods, and the effect thereof upon the net income for each period for which financial statements are filed, shall be disclosed in a note to the appropriate financial statement. Any material retroactive adjustment made during any period for which financial statements are filed, and the effect thereof upon net income of prior periods, shall be disclosed in a note to the appropriate financial statement.

(8) *Summary of accounting principles and practices.* Information required in notes as to accounting principles and practices reflected in the financial statements may be presented in the form of a single statement. In such case specific references shall be made in the appropriate financial statements to the applicable portion of such single statement.

(9) *Conversion of items in foreign currencies.* The basis of conversion of all items in foreign currencies shall be stated, and the amount and disposition of the resulting unrealized profit or loss shown.

(10) *Opening balances.* Instructions that permit the balance of an account at the beginning of the period for which financial statements are being filed to be "as per the accounts" shall not be applicable with respect to banks that have previously filed with the Corporation financial statements under the Securities Exchange Act of 1934. As to such banks, however, balances as per accounts may be taken as of the close of the most recent period for which certified financial statements are on file.

(11) *Valuation and qualifying reserves.* Valuation and qualifying reserves shall be shown separately in the financial statements as deductions from the specific assets to which they apply.

(12) *Basis of determining amounts—book value.* If an instruction requires a statement as to "the basis of determining the amount," the basis shall be stated specifically. The term "book value" will not be sufficiently explanatory unless, in a particular instruction, it is stated to be acceptable with respect to a particular item.

(13) *Reacquired evidences of indebtedness.* Reacquired evidences of indebtedness shall be shown separately as a deduction, under the appropriate liability caption. Reacquired evidences of indebtedness held for pension and other special funds not related to the particular issue may, however, be shown as assets of such funds if there is stated parenthetically the amount of such evidences of indebtedness, the cost thereof, and the amount at which carried.

(14) *Reacquired shares.* Reacquired shares shall be shown separately as a deduction from capital shares, or from the total of capital shares and surplus,[1] or from surplus, at either par or stated value, or cost, as circumstances require.

(15) *Discount on capital shares.* Discount on capital shares, or any unamortized balance thereof, shall be shown separately as a deduction from capital shares or from surplus, as circumstances require.

(16) *Commitments.* If material in amount, the pertinent facts relative to firm commitments for the acquisition of permanent investments and fixed assets and for the purchase, repurchase, construction, or rental of assets under long-terms leases shall be stated briefly in the balance sheet or in footnotes referred to therein. When the rentals or obligations under long-term leases are material there shall be shown the amounts of annual rentals under such leases with some indication of the periods for which they are payable, together with any important obligation assumed or guarantee made in connection therewith. If the rentals are conditional, the minimum annual amounts shall be stated, unless inappropriate in the circumstances.

(17) *General notes to balance sheets.* If present with respect to the person for which the statement is filed, the following shall be set forth in the balance sheet or in notes thereto:

(i) *Assets subject to lien.* The amounts of assets mortgaged, pledged, or otherwise subject to lien shall be designated and the obligations secured thereby, if any, shall be identified briefly.

(ii) *Intercompany profits and losses.* The effect upon any balance sheet item of profits or losses resulting from transactions with affiliated companies shall be stated. If impracticable of accurate determination without unreasonable effort or expense, an estimate or explanation shall be given.

(iii) *Defaults.* The facts and amounts concerning any default in prin-

[1] As used in this paragraph (d), the term "surplus" includes both "surplus" and "undivided profits" as those terms are used in the banking industry.

cipal, interest, sinking fund, or redemption provisions with respect to any issue of securities or credit agreements, or any breach of covenant of a related indenture or agreement, shall be stated. Notation of such default or breach of covenant shall be made in the balance sheet.

(iv) *Preferred shares.* (*a*) If callable, the date or dates and the amount per share at which such shares are callable shall be stated; (*b*) Arrears in cumulative dividends per share and in total for each class of shares shall be stated; (*c*) Preferences of involuntary liquidation, if other than the par or stated value, shall be shown. When the excess involved is material, there shall be shown the difference between the aggregate preference on involuntary liquidation and the aggregate par or stated value, a statement that this difference (plus any arrears in dividends) exceeds the sum of the par or stated value of the junior capital shares and the surplus if such is the case, and a statement as to the existence (or absence) of any restrictions upon surplus growing out of the fact that upon involuntary liquidation the preference of the preferred stock exceeds its par or stated value.

(v) *Pension and retirement plans.* (*a*) A brief description of the essential provisions of any employee pension or retirement plan shall be given; (*b*) The estimated annual cost of the plan shall be stated; (*c*) If a plan has not been funded or otherwise provided for, the estimated amount that would be necessary to fund or otherwise provide for the past-service cost of the plan shall be disclosed.

(vi) *Restrictions that limit the availability of surplus for dividend purposes.* Any such restriction, other than as reported in subdivision (iv) of this subparagraph (17) shall be described, indicating briefly its source, its pertinent provisions, and, where appropriate and determinable, the amount of the surplus so restricted.

(vii) *Contingent liabilities.* A brief statement as to contingent liabilities not reflected in the balance sheet shall be made. In the case of guarantees of securities of other issuers, a reference to the appropriate schedule shall be included.

(18) *General notes to profit and loss statements.* If present with respect to the person for which the statement is filed, the following shall be set forth in the profit and loss statement or in notes thereto:

(i) *Intercompany profits and losses.* The amount of any profits or losses resulting from transactions between affiliated companies shall be stated. If impracticable of determination without unreasonable effort and expense, an estimate or explanation shall be given.

(ii) *Depreciation, obsolescence, and amortization.* For the period for which profit and loss statements are filed, there shall be stated the policy followed with respect to: (*a*) The provision for depreciation and obsolescence of physical properties or reserves created in lieu thereof, including the methods and, if practicable, the rates used in computing the annual amounts; (*b*) The provision for depreciation and amortization of intangibles, or reserves created in lieu thereof, including the methods and, if practicable, the rates used in computing the annual amounts; (*c*) The accounting treatment for maintenance, repairs, renewals, and betterments; and (*d*) The adjustment of the accumulated reserves for depreciation, obsolescence, amortization, or reserves in lieu thereof, at the time the properties are retired or otherwise disposed of, including the disposition made of any profit or loss on sale of such properties.

(iii) *Capital stock optioned to officers and employees.* (*a*) A brief description of the terms of each option arrangement shall be given, including the title and amount of securities subject to the option, the year or years during which the options were granted, and the year or years during which the optionees became, or will become, entitled to exercise the options; (*b*) There shall be stated the number of shares under option at the balance sheet date, and the option price and the fair value thereof (per share and in total) at the dates the options were granted; the number of shares with respect to which options became exercisable during the period, and the option price and the fair value thereof (per share and in total) at the dates the options became exercisable; and the number of shares with respect to which options were exercised during the period, and the option price and the fair value thereof (per share and in total) at the dates the options were exercised. The required information may be summarized as appropriate with respect to each of the categories referred to in (*a*) of this subdivision; (*c*) The basis of accounting for such option arrangements and the amount of charges, if any, reflected in income with respect thereto shall be stated.

(19) *Current assets and current liabilities.* The categories "current assets" and "current liabilities," where used, shall contain items that are realizable, or due and payable, within one year.

(e) *Consolidated and combined statements*—(1) *Consolidated statements of the bank and its subsidiaries.* Banks that file consolidated statements shall follow principles of inclusion or exclusion that will exhibit clearly the financial condition and results of operations of the bank and its subsidiaries, except that (i) The bank shall not consolidate any subsidiary that is not a majority-owned subsidiary; (ii) If the statements of a subsidiary are as of a date or for periods different from those of the bank, such subsidiary may be consolidated only if all the following conditions exist: Such difference is not more than 93 days; the closing date of the subsidiary is specified; the necessity for the use of different closing dates is explained briefly; and any changes in the repective fiscal periods of the bank and the subsidiary made during the period of report are indicated clearly, together with the manner of treatment; and (iii) Due consideration shall be given to the propriety of consolidating with domestic corporations foreign subsidiaries whose operations are effected in terms of restricted foreign currencies. If consolidated, disclosure should be made as to the effect, insofar as this can be reasonably determined, of foreign exchange restrictions upon the consolidated financial position and operating results of the bank and its subsidiaries.

(2) *Group statements of subsidiaries not consolidated.* For majority-owned subsidiaries not consolidated with the bank there may be filed statements in which such subsidiaries are consolidated or combined in one or more groups pursuant to principles of inclusion or exclusion that will exhibit clearly the financial condition and results of operations of the group or groups. If essential to a properly summarized presentation of the facts, such consolidated or combined statement shall be filed.

(3) *Statement as to principle of consolidation or combination followed.* The principle adopted in determining the inclusion and exclusion of subsidiaries in each consolidatd balance sheet and in each group balance sheet of unconsolidated subsidiaries shall be stated in a note to the respective balance sheet. As to each consolidated statement and as to each group statement of unconsolidated subsidiaries, a statement shall be made as to whether there have been included or excluded any persons not similarly treated in the corresponding statement for the preceding fiscal period filed with the Corporation, and, if there are such persons, their names shall be given.

(4) *Reconciliation of investment of parent in subsidiaries and fifty-percent owned persons and equity of parent in their net assets*—(i) *Consolidated subsidiaries.* There shall be set forth in a note to each consolidated balance sheet filed a statement of any difference between the investment in subsidiaries consolidated, as shown by the parent's books, and the parent's equity in the net assets of such subsidiaries as shown by the books of the latter. If any such difference exists, there shall be set forth the amount of the difference and the disposition made thereof in preparing the consolidated statements, naming the balance sheet captions and stating the amount included in each.

(ii) *Subsidiaries not consolidated.* A statement shall be made of the amount of any difference between (*a*) the investment of the parent and its consolidated subsidiaries, as shown by their books, in the unconsolidated subsidiaries and fifty-percent owned persons for which statements are filed and (*b*) the equity of such persons in the net assets of such unconsolidated subsidiaries and fifty-percent owned persons, as shown by the books of the latter.

(5) *Reconciliation of dividends received from, and earnings of unconsolidated subsidiaries.* The proportion of the sum of, or difference between, current earnings or losses and dividends declared or paid by the unconsolidated subsidiaries that is applicable to the parent and its consolidated subsidiaries shall be set forth in a note to each consolidated profit and loss statement.

(6) *Minority interests.* Minority interests in the net assets of subsidiaries consolidated shall be shown in each consolidated balance sheet. The minority interest in the capital and in the surplus shall be stated separately. The aggregate amount of profit or loss accruing to minority interests shall be stated separately in each consolidated profit and loss statement.

(7) *Intercompany items and transactions.* In general, intercompany items and transactions shall be eliminated. If not eliminated, a statement of the reasons and the methods of treatment shall be made.

This notice is published pursuant to section 4 of the Administrative Procedure Act and Part 302 of the Federal Deposit Insurance Corporation's rules and regulations (12 CFR Part 302).

To aid in the consideration of the foregoing matter, the Board of Directors will be glad to receive from interested persons any relevant data, views or arguments. Such material should be sent to the Secretary, Federal Deposit Insurance Corporation, 550 17th Street NW., Washington, D.C., 20429. All such material should be submitted in writing to be received not later than October 21, 1964.

(15 U.S.C. 781; interpret or apply 15 U.S.C. 781, 78m, 78n(a) 78n(c), and 78p)

Dated this 11th day of September 1964.

FEDERAL DEPOSIT INSURANCE CORPORATION,
[SEAL] E. F. DOWNEY,
Secretary.

[F.R. Doc. 64-9425; Filed, Sept. 16, 1964; 8:47 a.m.]

Notices

DEPARTMENT OF DEFENSE

Department of the Army

OFFICE OF CIVIL DEFENSE

Interagency Civil Defense Committee

References: (a) Section 401 of the Federal Civil Defense Act of 1950, as amended, as affected by Reorganization Plan No. 1 of 1958, as amended; (b) Executive Order 10952, "Assigning Civil Defense Responsibilities to the Secretary of Defense and Others," dated July 20, 1961, as amended; (c) DoD Directive 5160.50, "Civil Defense Functions," dated March 31, 1964 (29 F.R. 5017); (d) Notice of "Organization and Operation of the Office of Civil Defense Within the Office of the Secretary of the Army and Delegation of Administrative Authority for Civil Defense Functions," April 1, 1964 (29 F.R. 5017); (e) Executive Order 10346, "Preparation by Federal Agencies of Civil Defense Emergency Plans," dated April 17, 1952, as amended; (f) Executive Order 10958, "Delegating Functions Respecting Civil Defense Stockpiles of Medical Supplies and Equipment and Food," dated August 14, 1961; (g) Executive Orders 10997–11005 and 11088–11095, Assigning Emergency Preparedness Functions to Various Federal Agencies; (h) BoB Circular A–63, "Management of Interagency Committees," dated March 2, 1964.

1. *Establishment.* There is hereby established, pursuant to references (a) through (d), the Interagency Civil Defense Committee (hereinafter referred to as the Committee) to aid in assuring that civil defense planning and operations, pursuant to references (e), (f), and (g), within the executive branch will be in consonance with the civil defense plans, programs, and operations of the Secretary of Defense.

2. *Composition of the Committee.* a. The Chairman of the Committee shall be the Director of Civil Defense or his named representative.

b. The following departments and agencies of the Federal Government have been assigned major civil defense responsibilities and are being invited to be represented on the Committee:

Department of Agriculture.
Atomic Energy Commission.
Department of Commerce.
Federal Aviation Agency.
Federal Communications Commission.
General Services Administration.
Department of Health, Education, and Welfare.
Housing and Home Finance Agency.
Department of the Interior.
Interstate Commerce Commission.
Department of Labor.
Post Office Department.

c. Other departments and agencies having civil defense responsibilities pursuant to references (e), (f), and (g) may be invited, at the discretion of the Chairman, to participate when matters concerning their areas of interest are to be considered, or to act as observers.

d. The Office of Emergency Planning is being invited to participate by designating observers.

3. *Responsibilities and Functions*—a. *Responsibilities.* (1) The Committee shall advise the Director of Civil Defense in carrying out his responsibilities (references (b), (c), and (d)) in the field of civil defense and in planning.

(2) The Chairman shall be responsible for the conduct of Committee activities, shall provide secretariat services, and shall coordinate the work of the Committee with the activities of other Government agencies and interagency groups having responsibilities in the field of emergency preparedness.

b. *Functions.* Committee functions include, but are not limited to:

(1) Promoting cooperation among Federal agencies in the prosecution of civil defense objectives.

(2) Reporting on civil defense developments at national, State, and local levels.

(3) Coordinating and correlating civil defense planning and program implementation at the Federal level.

(4) Recommending measures to assure maximum utilization of the capabilities and technical competence of the Federal establishment to provide for a more effective civil defense system at Federal, State, and local levels.

(5) Advising on policy guidance governing implementation of civil defense plans and operational procedures and on such other matters as the Chairman may request.

4. *Committee Management and Reports*—a. *Management.* (1) The Chairman, or his named representative, shall administer activities of the Committee in accordance with BoB Circular A–63, "Management of interagency committees," dated March 2, 1964, and applicable DoD directives.

(2) The Management Office, under the Assistant Director of Civil Defense (Management), shall be responsible for maintaining committee management files as prescribed in attachment to BoB Circular A–63.

b. *Reports.* Information on the Committee shall be included in annual reports on interagency committees, as required by BoB Circular A–63 and applicable DoD directives.

5. *Duration of Committee.* The Committee shall continue in existence until June 30, 1966, or whenever the mission is completed, whichever is earlier.

WILLIAM P. DURKEE,
Director of Civil Defense.

[F.R. Doc. 64–9410; Filed, Sept. 16, 1964; 8:48 a.m.]

DEPARTMENT OF THE INTERIOR

Bureau of Land Management

[Classification Order No. 537]

CALIFORNIA

Small Tract Classification; Revocation

1. Pursuant to the authority delegated to me by the California State Director, Bureau of Land Management under Part 1, Redelegation of Authority, dated March 27, 1962 (27 F.R. 3297), effective immediately, I hereby revoke Classification Order No. 537 dated April 15, 1957, published in 22 F.R. 2921 of April 25, 1957, Document 57–3321, under the Small Tract Act of June 1, 1938 (52 Stat. 609; 43 USC 682a), as amended, relating to the following described lands:

MOUNT DIABLO MERIDIAN

T. 32 S., R. 35 E.,
Sec. 22: Lots 7 through 102.

2. The public lands affected by this order are hereby restored as of 10:00 a.m., on October 9, 1964, to the operation of the public land laws, subject to any valid existing rights, the provisions of existing withdrawals, and the requirements of applicable laws, rules, and regulations.

Dated: September 4, 1964.

ROBERT J. SPRINGER,
District Manager.

[F.R. Doc. 64–9442; Filed, Sept. 16, 1964; 8:48 a.m.]

[Classification Order No. 541]

CALIFORNIA

Small Tract Classification; Revocation

1. Pursuant to the authority delegated to me by the California State Director, Bureau of Land Management under Part 1, Redelegation of Authority, dated March 27, 1962 (27 F. R. 3297), effective immediately, I hereby revoke Classification Order No. 541 dated April 17, 1957, under the Small Tract Act of June 1, 1938 (52 Stat. 609; 43 USC 682a), as amended, relating to the following described lands:

MOUNT DIABLO MERIDIAN

T. 32 S., R. 35 E.,
Sec. 22: SW¼NW¼NW¼NE¼.

2. The public lands affected by this order are hereby restored as of 10:00 a.m., on October 9, 1964, to the operation of the public land laws, subject to any valid existing rights, the provisions of existing withdrawals, and the requirements of applicable laws, rules, and regulations.

Dated: September 4, 1964.

ROBERT J. SPRINGER,
District Manager.

[F.R. Doc. 64–9443; Filed, Sept. 16, 1964; 8:48 a.m.]

[Classification Order No. 621]

CALIFORNIA

Small Tract Classification; Revocation

1. Pursuant to the authority delegated to me by the California State Director, Bureau of Land Management under Part 1, Redelegation of Authority, dated March 27, 1962 (27 F.R. 3297), effective immediately, I hereby revoke Classification Order No. 621 dated January 15, 1960, published in 25 F.R. 2061 under the Small Tract Act of June 1, 1938 (52 Stat. 609; 43 U.S.C. 682a), as amended, relating to the following described lands:

MOUNT DIABLO MERIDIAN

T. 32 S., R. 35 E.,
Sec. 26: E½NE¼NE¼, SW¼NE¼NE¼, W½NE¼, SE¼NE¼, NW¼, S½SW¼, SE¼SE¼.

2. The public lands affected by this order are hereby restored as of 10:00 a.m., on October 9, 1964, to the operation of the public land laws, subject to any valid existing rights, the provisions of existing withdrawals, and the requirements of applicable laws, rules, and regulations.

ROBERT J. SPRINGER,
District Manager.

SEPTEMBER 4, 1964.

[F.R. Doc. 64-9444, Filed, Sept. 16, 1964; 8:49 a.m.]

NEW MEXICO

Notice of Proposed Withdrawal and Reservation of Lands

SEPTEMBER 10, 1964.

The Bureau of Reclamation, U.S. Department of the Interior, has filed an application, Serial No. New Mexico 0554811, for the withdrawal of lands described below from all forms of entry, including the general mining but not the mineral leasing laws. The applicant desires the lands for construction of the Cutter Dam and regulating reservoir which will be an integral part of the irrigation conveyance system from the Navajo Dam in San Juan County, N. Mex.

For a period of 30 days from the date of publication of this notice, all persons who wish to submit comments, suggestions, or objections in connection with the proposed withdrawal may present their views in writing to the undersigned officer of the Bureau of Land Management, Department of the Interior, Acting State Director, P.O. Box 1449, Santa Fe, N. Mex., 87501.

The authorized officer of the Bureau of Land Management will undertake such investigations as are necessary to determine the existing and potential demand for the lands and their resources. He will also undertake negotiations with the applicant agency with the view of adjusting the application to reduce the area to the minimum essential to meet the applicant's needs, to provide for the maximum concurrent utilization of the lands for purposes other than the applicant's, to eliminate lands needed for purposes more essential than the applicant's, and to reach agreement on the concurrent management of the lands and their resources.

He will also prepare a report for consideration by the Secretary of the Interior who will determine whether or not the lands will be withdrawn as requested by the Bureau of Reclamation.

The determination of the Secretary on the application will be published in the FEDERAL REGISTER. A separate notice will be sent to each interested party of record.

If circumstances warrant it, a public hearing will be held at a convenient time and place, which will be announced.

The lands involved in the application are:

NEW MEXICO PRINCIPAL MERIDIAN, NEW MEXICO

T. 29 N., R. 8 W.,
Sec. 28, W½E½NE¼, E½NW¼NE¼, SW¼NE¼, SE¼NW¼SW¼, E½NE¼SW¼, SW¼NE¼SW¼, E½SW¼SW¼, SE¼SW¼, W½SE¼, W½NE¼SE¼, NW¼SE¼SE¼;
Sec. 33, W½NW¼NE¼, N½NW¼, SW¼NW¼, NW¼SE¼NW¼, NW¼NW¼SW¼.

The area described contains 470 acres.

W. J. ANDERSON,
Acting State Director.

[F.R. Doc. 64-9445; Filed, Sept. 16, 1964; 8:49 a.m.]

[Classification Order No. 521]

CALIFORNIA

Small Tract Classification; Partial Revocation

SEPTEMBER 9, 1964.

1. Pursuant to authority delegated to the State Director by Bureau Order No. 701 dated July 23, 1964 (29 F.R. 10526) as redelegated, Small Tract Classification Order No. 521 dated February 5, 1957 (22 F.R. 965), as amended, is hereby revoked as to the following described lands:

SAN BERNARDINO MERIDIAN, CALIFORNIA

T. 9 N., R. 2 W.
Sec. 15, N½NE¼NE¼NE¼, SW¼NE¼NE¼NE¼, N½SE¼NE¼NE¼, SW¼SE¼NE¼NE¼, N½NE¼SE¼NE¼, SW¼NE¼SE¼NE¼, SW¼SE¼SE¼NE¼, W½SE¼NE¼, SE¼SW¼ NE¼.
Containing 55 acres.

2. The above described lands are hereby reclassified for disposition under the provisions of the Recreation and Public Purposes Act.

3. This order shall become effective on September 9, 1964.

JENS C. JENSEN,
Manager,
Riverside District and Land Office.

[F.R. Doc. 64-9421; Filed, Sept. 16, 1964; 8:46 a.m.]

[Serial No. R 05707]

CALIFORNIA

Notice of Proposed Withdrawal and Reservation of Lands

SEPTEMBER 11, 1964.

The Department of Agriculture has filed an application, serial number Riverside 05707, for the withdrawal of the lands described below from location and entry under the mining laws, subject to valid existing rights. The applicant desires the land for the use of the U.S. Forest Service as the Camp Angelus Administrative Site and a fire suppression crew station.

For a period of 30 days from the date of publication of this notice, all persons who wish to submit comments, suggestions, or objections in connection with the proposed withdrawal may present their views in writing to the undersigned officer of the Bureau of Land Management, Department of the Interior, 1414 Eighth Street, P.O. Box 723, Riverside, Calif., 92502.

The authorized officer of the Bureau of Land Management will undertake such investigations as are necessary to determine the existing and potential demand for the lands and their resources. He will also undertake negotiations with the applicant agency with the view of adjusting the application to reduce the area to the minimum essential to meet the applicant's needs, to provide for the maximum concurrent utilization of the lands for the purposes other than the applicant's, and to reach agreement on the concurrent management of the lands and their resources. He will also prepare a report for consideration by the Secretary of the Interior who will determine whether or not the lands will be withdrawn as requested by the Department of Agriculture. The Determination of the Secretary on the application will be published in the FEDERAL REGISTER. A separate notice will be sent to each interested party of record. If the circumstances warrant it, a public hearing will be held at a convenient time and place, which will be announced.

The lands involved in the application are:

SAN BERNARDINO MERIDIAN

T. 1 N., R. 1 W.,
Sec. 21, E½SE¼SE¼;
Sec. 22, lots 1, 2, 3, and 4, N½SW¼SW¼, and SE¼SW¼SW¼.

The areas described aggregate 60 acres.

JENS C. JENSEN,
Manager.

[F.R. Doc. 64-9422; Filed, Sept. 16, 1964; 8:46 a.m.]

NEW MEXICO

Notice of Proposed Withdrawal and Reservation of Lands

The Bureau of Land Management has filed an application, Serial No. New Mexico 0554608, for the withdrawal of lands described below from agricultural entry only. The applicant desires to protect the underground water supply of the El Paso, Tex., community, including Fort Bliss and Biggs Air Force Base.

For a period of 30 days from the date of publication of this notice, all persons who wish to submit comments, suggestions, or objections in connection with the proposed withdrawal may present their views in writing to the undersigned officer of the Bureau of Land Manage-

ment, Department of the Interior, Acting State Director, P.O. Box 1449, Santa Fe, N. Mex., 87501.

The authorized officer of the Bureau of Land Management will undertake such investigations as are necessary to determine the existing and potential demand for the lands and their resources. He will also undertake negotiations with the applicant agency with the view of adjusting the application to reduce the area to the minimum essential to meet the applicant's needs, to provide for the maximum concurrent utilization of the lands for purposes other than the applicant's, to eliminate lands needed for purposes more essential than the applicant's, and to reach agreement on the concurrent management of the lands and their resources.

He will also prepare a report for consideration by the Secretary of the Interior who will determine whether or not the lands will be withdrawn as requested by the Bureau of Land Management.

The determination of the Secretary on the application will be published in the FEDERAL REGISTER. A separate notice will be sent to each interested party of record.

If circumstances warrant it, a public hearing will be held at a convenient time and place, which will be announced.

The lands involved in the application are:

NEW MEXICO PRINCIPAL MERIDIAN, NEW MEXICO

T. 26 S., R. 4 E.,
Sec. 1, NE¼, S½NW¼, SW¼, W½SE¼;
Secs. 3 to 11, inclusive;
Sec. 12, W½NE¼, NW¼, N½SW¼, SE¼SW¼, SE¼;
Secs. 13 to 15, inclusive;
Secs. 17 to 23, inclusive;
Sec. 24, N½NE¼, SW¼NE¼, NW¼, N½SW¼, N½SE¼, SE¼SE¼;
Sec. 25, NE¼NE¼;
Sec. 27, N½, SW¼, N½SE¼;
Secs. 28 to 30, inclusive;
Sec. 31, lot 6, E½NE¼;
Sec. 33, lots 1, 2, 3, 4 and N½;
Sec. 34, lots 1, 2, 3, 4 and N½;
Sec. 35, lots 1, 2, 3, 4, NW¼NE¼, S½NE¼ and NW¼.
T. 26 S., R. 5 E.,
Sec. 5, lot 1;
Sec. 6, lot 7;
Secs. 10 to 12, inclusive;
Sec. 13, N½;
Sec. 14, N½, SW¼, N½SE¼, SW¼SE¼.
T. 26 S., R. 6 E.,
Sec. 1, that portion lying west of the McGregor Range (PLO 1470) in NE¼SE¼, NW¼SE¼;
Sec. 7, S½NE¼, SE¼NW¼, E½SW¼, SE¼;
Sec. 8, S½NE¼, W½, SE¼;
Sec. 9, S½N½, S½;
Sec. 10, S½N½, NE¼SW¼, SE¼;
Sec. 17;
Sec. 18, E½, E½W½;
Sec. 19, E½, E½W½;
Sec. 20, W½W½;
Sec. 29, N½NE¼, E½NW¼.

The areas described aggregate 23,900.59 acres, more or less.

W. J. ANDERSON,
Acting State Director.

[F.R. Doc. 64-9423; Filed, Sept. 16, 1964; 8:47 a.m.]

[Classification Order No. C-1-1]

CALIFORNIA

Small Tract Classification: Revocation

1. Pursuant to the authority delegated to me by the California State Director, Bureau of Land Management under Part 1, Redelegation of Authority, dated March 27, 1962 (27 F.R. 3297), effective immediately, I hereby revoke Classification Order No. C-1-1 dated June 22, 1962, published in 27 F.R. 6903 of July 20, 1962, under the Small Tract Act of June 1, 1938 (52 Stat. 609; 43 USC 682a), as amended, relating to the following described lands:

MOUNT DIABLO MERIDIAN

T. 32 S., R. 35 E.,
Sec. 22, SE¼SE¼.

2. The public lands affected by this order are hereby restored as of 10:00 a.m. on October 9, 1964, to the operation of the public land laws, subject to any valid existing rights, the provisions of existing withdrawals, and the requirements of applicable laws, rules, and regulations.

Dated: September 4, 1964.

ROBERT J. SPRINGER,
District Manager.

[F.R. Doc. 64-9441; Filed, Sept. 16, 1964; 8:48 a.m.]

DEPARTMENT OF COMMERCE

Office of the Secretary

[Department Order No. 172]

UNITED STATES TRAVEL SERVICE

Organization and Functions

SEPTEMBER 12, 1964.

This material supersedes the material appearing at 28 F.R. 3736-3737 of April 17, 1963.

SECTION 1. *Purpose.* .01 The purpose of this Organization and Function Supplement is to prescribe the organization and to assign functions within the United States Travel Service.

SEC. 2. *Organization.* .01 The United States Travel Service shall consist of the following organizational units:

a. Office of the Director:
Director.
Deputy Director.
Administrative Office.
b. Visitor Services Division.
c. Travel Promotion Division:
Overseas Offices.
d. Facilitation and Planning Division.

SEC. 3. *Functions of the organization units.* .01 The Director determines policy, directs the programs and is responsible for all activities of the United States Travel Service.

.02 The Deputy Director shall be the principal assistant to the Director and shall perform the duties of the Director during the latter's absence.

.03 The Administrative Office shall direct all administrative management activities including budget, organization planning, and personnel; and secure administrative services provided to the United States Travel Service through the staff service offices reporting to the Assistant Secretary for Administration.

.04 The Visitor Services Division shall develop programs to assure a friendly welcome in the United States for international visitors and to generally improve the nation's host services for them. More particularly, the Division shall carry on a campaign in the United States to stimulate an interest in the visitor from abroad; make Americans aware of the importance of visitors to us; encourage the United States public to extend a friendly and cordial welcome to our guests; assist communities in attracting more international visitors through community host services activities and help them adapt their facilities to meet the needs of overseas visitors; cooperate with the travel industry—hotels, motels, restaurants, sightseeing and transportation companies—in bolstering its services for visitors from other nations; and cooperate with Federal agencies at our ports of entry in expediting the entrance formalities of our overseas guests and help make the nation's reception of our visitors more pleasant and gracious.

.05 The Travel Promotion Division shall direct the sales operations, travel advertising, editorial support and other promotional campaigns overseas. More particularly, the Division shall conduct market research abroad on attitudes of potential travelers to the United States; provide useful sales promotion tools and materials in foreign languages to United States Travel Service overseas offices in order to help the prospective traveler measure the United States against other competitive destinations; develop and place advertising in overseas media to stimulate more travel to the United States; and develop publicity in appropriate media overseas to create an awareness of travel in the United States, including the distribution of stories and pictorial material, photographs and films about travel in the United States to writers, editors, radio and television producers. The Division shall be responsible for supervising and coordinating the activities of United States Travel Service overseas offices. Overseas offices are located in strategic cities to cover the major potential markets for increased tourism to the United States (see Appendix A, below).

.06 The Facilitation and Planning Division shall collaborate with officials of the United States and foreign governmental authorities to lessen travel barriers. More particularly, the Division shall cooperate with other agencies of the Federal Government, international organizations, and foreign governments on ways and means of overcoming barriers to travel; lowering of travel costs and improving and developing statistical data on actual tourist movements and

tourist expenditures; study the economic effects of tourism and patterns of international travel with a view to planning a long-range travel promotion program; and interpret market research to measure results of the promotion program.

HERBERT W. KLOTZ,
Assistant Secretary for Administration.

OVERSEAS OFFICES OF UNITED STATES TRAVEL SERVICE

Location	Area
United States Travel Service, 22–25A Sackville Street, London W.1, England.	Great Britain, Ireland, Norway, Sweden, Denmark, Iceland, and Finland.
United States Travel Service, 17 Avenue Matignon, Paris 8e, France.	France, Belgium, Luxembourg, Netherlands, Spain, Portugal, and French-speaking Switzerland.
United States Travel Service, Grosse Gallustrasse 1–7, Frankfurt, Germany.	West Germany, West Berlin, Austria, and German-speaking Switzerland.
United States Travel Service, c/o American Consulate General, Sao Paulo, Brazil.	Brazil, Argentina, Uruguay, Paraguay, and Chile.
United States Travel Service, Paseo de la Reforma, Mexico City, Mexico.	Mexico, Costa Rica, Nicaragua, Honduras, El Salvador, and Guatemala.
United States Travel Service, 82 Elizabeth Street, Sydney, Australia.	Australia and New Zealand.
United States Travel Service, Fuji Seitetsu Building, No. 10, 3 chome, Marunouchi, Chiyoda-Ku, Tokyo, Japan.	Japan, Hong Kong, and the Philippines.
United States Travel Service, c/o American Embassy, Rome, Italy.	Italy and Italian-speaking Switzerland.
United States Travel Service, c/o American Embassy, Bogota, Colombia.	Colombia, Venezuela, Ecuador, Peru, Bolivia, Panama, and the Caribbean countries.

[F.R. Doc. 64–9414; Filed, Sept. 16, 1964; 8:45 a.m.]

ATOMIC ENERGY COMMISSION

[Dockets Nos. 50–216 & 50–60]

NEW YORK UNIVERSITY AND U.S. NAVAL HOSPITAL

Notice of Issuance of Construction Permit and Facility License Amendment

Please take notice that no request for a formal hearing having been filed following publication of the notice of proposed action in the FEDERAL REGISTER on August 22, 1964, 29 F.R. 12040, the Atomic Energy Commission has issued Construction Permit No. CPRR–81 to New York University and Amendment No. 6 to the U.S. Naval Hospital's Facility License No. R–27.

The construction permit authorizes New York University (1) to possess but not to operate the Model AGN–201M, Serial 105, nuclear reactor previously possessed and operated by the U.S. Naval Hospital at its site in Bethesda, Md., (2) to disassemble and transfer the reactor from its present location in Bethesda, Maryland, to New York University's campus at University Heights, Borough of the Bronx, New York City, and (3) to reconstruct the reactor at that location. The license amendment authorizes the U.S. Naval Hospital to retain legal title to, but not to possess, use or operate, the reactor.

The construction permit and license amendment as issued are in the form published in the notice of proposed action.

Dated at Bethesda, Md., this 9th day of September 1964.

For the Atomic Energy Commission.

ROGER S. BOYD,
Chief, Research & Power Reactor Safety Branch, Division of Reactor Licensing.

[F.R. Doc. 64–9404; Filed, Sept. 16, 1964; 8:45 a.m.]

[Docket No. 50–148]

UNIVERSITY OF KANSAS

Notice of Issuance of Facility License Amendment

Please take notice that the Atomic Energy Commission has issued, effective as of the date of issuance, Amendment No. 3, set forth below, to Facility License No. R–78. The license authorizes The University of Kansas ("the licensee") to operate its pool-type nuclear reactor ("the reactor") which is located on the University's campus in Lawrence, Kansas. The amendment authorizes the licensee to operate the reactor at power levels up to 25 kilowatts thermal for short periods, not exceeding 15 minutes, for the purpose of functionally testing the safety channel scram circuits as proposed in the application for license amendment dated March 21, 1964 and the supplement thereto dated June 11, 1964.

The Commission has found that:

1. The application for amendment complies with the requirements of the Atomic Energy Act of 1954, as amended, and the Commission's regulations set forth in Title 10, Chapter I, CFR;

2. Prior public notice of proposed issuance of this amendment is not required since the amendment does not involve significant hazards considerations different from those previously evaluated;

3. The issuance of this license amendment will not be inimical to the common defense and security or to the health and safety of the public.

Within fifteen days from the date of publication of this notice in the FEDERAL REGISTER, the licensee may file a request for a hearing, and any person whose interest may be affected by this proceeding may file a petition for leave to intervene. Requests for a hearing and petitions to intervene shall be filed in accordance with the provision of the Commission's "Rules of Practice," 10 CFR Part 2. If a request for a hearing or a petition for leave to intervene is filed within the time prescribed in this notice, the Commission will issue a notice of hearing or an appropriate order.

For further details with respect to this amendment see (1) the hazards analysis prepared by the Research and Power Reactor Safety Branch of the Division of Reactor Licensing and (2) the licensee's application for license amendment dated March 21, 1964, and the supplement thereto dated June 11, 1964, all of which are available for public inspection at the Commission's Public Document Room, 1717 H Street NW., Washington, D.C. A copy of item (1) above may be obtained at the Commission's Public Document Room, or upon request addressed to the Atomic Energy Commission, Washington, D.C., 20545, Attention: Director, Division of Reactor Licensing.

Dated at Bethesda, Md., this 9th day of September 1964.

For the Atomic Energy Commission.

ROGER S. BOYD,
Chief, Research & Power Reactor Safety Branch, Division of Reactor Licensing.

[License No. R–78, Amdt. 3]

License No. R–78, as amended, which authorizes The University of Kansas to possess and operate the nuclear reactor located on its campus in Lawrence, Kansas, is hereby further amended as follows:

1. The University of Kansas is authorized to operate its reactor at power levels up to 25 kilowatts thermal for periods not to exceed 15 minutes for the purpose of functionally testing the safety channel scram circuits as proposed in its application for license amendment dated March 21, 1964, and the supplement thereto dated June 11, 1964.

This amendment is effective as of the date of issuance.

Date of issuance: September 9, 1964.

For the Atomic Energy Commission.

ROGER S. BOYD,
Chief, Research & Power Reactor Safety Branch, Division of Reactor Licensing.

[F.R. Doc. 64–9405; Filed, Sept. 16, 1964; 8:45 a.m.]

CIVIL AERONAUTICS BOARD

[Docket 14945; Order No. E–21261]

INTERNATIONAL AIR TRANSPORT ASSOCIATION

Agreement Relating to Specific Commodity Rates

Adopted by the Civil Aeronautics Board at its office in Washington, D.C., on the 9th day of September 1964; Docket 14945, Agreement C.A.B. 17868, R–6.

There has been filed with the Board, pursuant to section 412(a) of the Federal Aviation Act of 1958 (the Act) and Part 261 of the Board's Economic Regulations, an agreement between various air carriers, foreign air carriers, and other carriers embodied in the resolutions of Joint Conference 1–2 of the International Air Transport Association (IATA), and adopted pursuant to the provisions of Resolution 590 (Commodity Rates promulgated in IATA memorandum Board).

The agreement, adopted pursuant to unprotested notices to the carriers and JT12/Rates 3167, reduces the specific

commodity rates on Item 4413—Telephone, Telegraph, Teletype Apparatus and parts thereof to the commodity rate level established on Item 4416—Automobile Radios, Dictation Machines, etc.

The Board, acting pursuant to sections 102, 204(a) and 412 of the Act, does not find the above-described agreement to be adverse to the public interest or in violation of the Act, provided that approval thereof is conditioned as hereinafter ordered:

Accordingly, it is ordered, That Agreement C.A.B. 17868, R–6, is approved, provided that such approval shall not constitute approval of the specific commodity description contained therein for purposes of tariff publication.

Any air carrier party to the agreement, or any interested person, may, within 15 days from the date of service of this order, submit statements in writing containing reasons deemed appropriate, together with supporting data in support of or in opposition to the Board's action herein. An original and nineteen copies of the statements should be filed with the Board's Docket Section. The Board may, upon consideration of any such statements filed, modify or rescind its action herein by subsequent order.

This order will be published in the FEDERAL REGISTER.

By the Civil Aeronautics Board.

[SEAL] HAROLD R. SANDERSON,
Secretary.

[F.R. Doc. 64–9412; Filed, Sept. 16, 1964; 8:45 a.m.]

[Docket 13777; Order No. E–21262]

INTERNATIONAL AIR TRANSPORT ASSOCIATION

Agreement Relating to Specific Commodity Rates

Adopted by the Civil Aeronautics Board at its office in Washington, D.C., on the 9th day of September 1964; Docket 13777, Agreement C.A.B. 17666, R–52.

There has been filed with the Board, pursuant to section 412(a) of the Federal Aviation Act of 1958 (the Act) and Part 261 of the Board's Economic Regulations, an agreement between various air carriers, foreign air carriers, and other carriers, embodied in the resolutions of Traffic Conference 1 of the International Air Transport Association (IATA), and adopted pursuant to the provisions of Resolution 590 (Commodity Rates Board).

The agreement, adopted pursuant to the unprotested notices to the carriers and promulgated in IATA memoranda, names an additional specific commodity rate as set forth below:

Agreement C.A.B. 17666	IATA memorandum, TC1/rates	Commodity item	Rates
R–52	2024	3300	*(Minimum weight 100 kilograms)* 10 cents per kilogram; Panama City to Managua. 8 cents per kilogram; Panama City to San Jose. 15 cents per kilogram; Panama City to San Salvador/Tegucigalpa.

The Board, acting pursuant to sections 102, 204(a), and 412 of the Act, does not find the subject agreement to be adverse to the public interest or in violation of the Act, provided that approval thereof is conditioned as hereinafter ordered.

Accordingly, it is ordered:

That Agreement C.A.B. 17666, R–52, be approved, provided that such approval shall not constitute approval of the specific commodity description contained therein for purposes of tariff publication.

Any air carrier party to the agreement, or any interested person, may, within 15 days from the date of service of this order, submit statements in writing containing reasons deemed appropriate, together with supporting data, in support of or in opposition to the Board's action herein. An original and nineteen copies of the statements should be filed with the Board's Docket Section. The Board may, upon consideration of any such statements filed, modify or rescind its action herein by subsequent order.

This order will be published in the FEDERAL REGISTER.

By the Civil Aeronautics Board.

[SEAL] HAROLD R. SANDERSON,
Secretary.

[F.R. Doc. 64–9413; Filed, Sept. 16, 1964; 8:46 a.m.]

DELAWARE RIVER BASIN COMMISSION

PUBLIC WATER RESOURCES PROJECTS

Notice of Hearing

Notice is hereby given that the Delaware River Basin Commission will hold a public hearing on September 23, 1964 on a proposal to amend its Comprehensive Plan to include therein the public water resources projects listed below. The hearing will take place in Room 1306 of the Pennsylvania State Office Building, Broad and Spring Garden Streets, Philadelphia, beginning at 2:00 p.m.

A. Projects previously approved under section 3.8 of compact:

Village of Walton water supply, Delaware County, N.Y.

Borough of Pottstown water supply, Montgomery County, Pa.

Borough of Hatboro water supply, Bucks County, Pa.

Township of Upper Southampton water supply, Bucks County, Pa.

U.S. Army Corps of Engineers, Penns Neck Disposal Area, Pennsville, N.J.

B. Projects not previously reviewed under section 3.8 of compact:

Borough of Lindenwold, Camden County, N.J., comprehensive sanitary sewerage system involving collecting sewers, pumping stations, force mains and a secondary sewage treatment plant with a capacity of 1.25 mgd. Treated effluent will discharge into the Cooper River at a point just below Linden Lake.

Borough of East Stroudsburg, Monroe County, Pa., combined water filtration and waste treatment plant. Having a capacity of 2 mgd, the filtration plant will withdraw water from Sambo Creek, a tributary of Brodhead Creek. A maximum of 81,000 gpd of filter backwash waste will discharge back to Sambo Creek after treatment.

Maps and detailed information about the above projects may be examined by any interested party at the Commission's office in Trenton.

All persons or organizations desiring to testify at the public hearing are requested to register in advance with the Secretary to the Commission.

Immediately after the hearing the Commission will hold a meeting for the transaction of regular business.

W. BRINTON WHITALL,
Secretary.

SEPTEMBER 10, 1964.

[F.R. Doc. 64–9439; Filed, Sept., 16, 1964; 8:48 a.m.]

FEDERAL MARITIME COMMISSION

[Fact Finding Investigation No. 6]

STEAMSHIP CONFERENCE

Postponement of Hearing Regarding Effects on Foreign Commerce of United States

SEPTEMBER 17, 1964.

The hearing in this proceeding previously scheduled to be held in New York City on September 22, 1964, has been postponed and will be rescheduled at a time and place to be announced.

RALPH P. DICKSON,
Investigative Officer.

[F.R. Doc. 64–9510; Filed, Sept. 16, 1964; 11:49 a.m.]

FEDERAL POWER COMMISSION

[Docket Nos. RI61–96, RI62–536]

JACK W. GRIGSBY ET AL.

Order Conditionally Accepting Offers of Settlement, Requiring Filing of Notice of Change and Terminating Proceedings

AUGUST 6, 1964.

On June 18 and 22, 1964, Jack W. Grigsby (Operator), et al., (Grigsby) filed offers of settlement in these proceedings pursuant to 1.18 (e) of the Commission's rules of practice and procedure. The offers involve proposed increased rates for sales of natural gas made to United Gas Pipe Line Company (United) by Grigsby and relate to sales made under Supplement No. 5 to Grigsby's FPC Gas Rate Schedule No. 6, Supplement No. 3 to its Rate Schedule No. 7, and Supplement No. 3 to its Rate Schedule No. 8. The sales under Rate Schedule Nos. 6 and 7 are made in the State of Mississippi, and the sale under Rate Schedule No. 8 is made in South Louisiana. Each of the proposed increased rates were suspended by order of the Commission for the statutory period, were made effective by Grigsby by appropriate motion, and have been charged and collected subject to refund.

Under the terms of the offers, Grigsby proposes to withdraw its increased rate filings for the sales made by it to United in Mississippi and thereby reduce the rates to 20 cents per Mcf, and to reduce the rate for the sale in South Louisiana

to 19.25 cents per Mcf. This sale is in the Crescent Farms Field and is surrounded by the same circumstances we considered in Cities Service Company, et al., Docket Nos. G–8921, et al., 28 FPC 1108, for a sale in the same field to the same purchaser, and we there approved the same settlement rate sought here. Accordingly, we shall approve Grigsby's proposed settlement rate for its sale.

Under the terms of the offers, Grigsby proposes to refund all of the monies charged and collected, subject to refund, above the settlement rates. However, it proposes that it should be relieved of its obligation to pay appropriate interest on the amounts to be refunded under the sales made by it to United in Mississippi. Grigsby has offered no sound basis for granting its request which is inconsistent with our approach in previous settlement cases. Consequently, we must deny Grigsby's proposal to be relieved of its interest obligation under its FPC Gas Rate Schedule Nos. 6 and 7.

However, for the past two years the Commission has approved numerous producer rate settlements involving the jurisdictional sales of natural gas. These settlements have been of great value to all segments of the natural gas industry and to consumers generally by assisting in the establishment of stability in gas prices to the consumer and revenues to the industry. There have been three essential elements in each of the settlements: (1) Settlement rates consistent with rates established by our Statement of General Policy No. 61–1, as amended, (2) a moratorium on increased rate filings above the applicable ceiling; and, (3) appropriate refunds. The refund period was determined through use of a cost of service study of the company involved, with refunds required for all periods after the unit costs so determined equalled unit revenues.

These settlements have involved large producers having diversified operations where cost of service studies could be used for the limited purpose of determining refund periods but have not been applicable to the sales of small producers where cost of service studies would not be meaningful.

We have explored various methods of applying the settlement technique to the sales of small producers so that they and the consumers might obtain the benefit of such settlements. We have calculated the average percentage of amounts collected subject to refund above the settlement rates which the large producers have been required to refund under approved settlements and we propose to require the same average percentage of refunds by small producers without reference to individual cost studies. Accordingly, we shall be prepared to approve small producer settlements meeting the criteria as to level of rates and moratorium provisions where the producer agrees to make the following percentage of refunds above settlement rates: [1]

Years:	*Refunds percent*
1963 and thereafter	100
1961 and 1962	70
1957 through 1960	25

Therefore, we shall conditionally approve Grigsby's settlement proposal to require refunds with interest in accordance with the foregoing.

In affording the small producers the same opportunity to settle and terminate all of their pending rate proceedings which we have accorded the larger producers, we believe it to be in the public interest to require that the small producers agree to a 36 month moratorium on proposed rate increases above the applicable ceiling for each of their filed rate schedules as is generally agreed to by large producers in their company-wide settlements. Therefore, we shall condition our approval of Grigsby's proposal to require it to agree to a filing moratorium on each of its filed rate schedules of 36 months from June 1, 1964. Provided, however, Grigsby may reserve the right to file during such period to reflect any possible tax reimbursement increases or changes in the applicable area ceilings if contractually authorized so to do.

For all of the reasons set forth in our order issued July 8, 1964, in Humble Oil & Refining Company, Docket Nos. G–9287, et al., — FPC —, we shall require Grigsby to retain the amounts of refund ordered herein until further order directing the nature of their disposition and also to submit within 45 days of this order to the Commission and to United a detailed report setting out the amount of refund related to each rate schedule, the volume of gas sold thereunder and the period covered. We shall also by separate action direct the pipeline purchaser within ten days from the receipt of such report, to submit a report of its own setting forth whether it intends to pass on all or part of such refund amounts to its customers and the names of such customers and amounts of refund each would receive, or, if it claims the right to retain any portion of the refunds, a brief statement as to the legal or equitable basis for such claim. In the event such reports indicate that the refunds will flow through to ultimate consumers or distribution companies not subject to the Commission's jurisdiction, the Commission will authorize the release of such refund sums by Grigsby, (unless a state regulatory authority after notification of the sum to be made available to a company subject to its regulatory jurisdiction asks us to defer releasing the funds until it can determine their ultimate disposition). In the event a pipeline purchaser from United (or a pipeline customer of such a pipeline) indicates that it is asserting a claim to retain substantial refund sums the Commission will by further order prescribe the procedure for determining the relative rights to such funds of such pipeline or its customers.

We find that approval of the proposal settlements, as conditioned herein would serve the public interest.

However, we desire to make it clear that acceptance of Grigsby's offers of settlement shall not be construed as approval of any future increased rates that may be filed under the subject rate schedules, and is without prejudice to any findings or order of the Commission in any future proceedings, including area rate or other similar proceedings, involving Grigsby's rates and rate schedules.

The Commission finds: The proposed settlement of each of the above-designated proceedings, on the basis described herein, as more fully set forth in the offers of settlement filed with the Commission by Grigsby on June 18 and 22, 1964, and as herein conditioned in the public interest and appropriate to carry out the provisions of the Natural Gas Act and should be approved and made effective as hereinafter ordered.

The Commission orders:

(A) The offers of settlement filed with the Commission by Grigsby on June 18 and 22, 1964, are hereby approved in accordance with the provisions of this order.

(B) Grigsby shall file, within 30 days from the date of issuance of this order, a notice of change in rate to its FPC Gas Rate Schedule No. 8 providing for the 19.25 cents per Mcf rate specified in its offer of settlement. The notice of change shall be submitted in accordance with Part 154 of the Commission's regulations under the Natural Gas Act.

(C) The notices of change in rate filed by Grigsby to its FPC Gas Rate Schedule Nos. 6 and 7, which were designated as Supplement Nos. 5 and 3 respectively, shall upon Grigsby's acceptance and compliance with the terms and provisions of this order be deemed withdrawn without further order of the Commission.

(D) Grigsby shall compute the difference between the rates collected subject to refund and the related settlement rates for the periods such rates were collected subject to refund, to the date of this order, together with interest as specified in each docket to the date of this order, in accordance with the percentages hereinabove set forth. Grigsby shall within 45 days from the date of this order submit a report to the Commission, and serve a copy on United setting out the amount of refunds related to each rate schedule (showing separately the principal and applicable interest), the bases used for such determination and the periods covered.

(E) Grigsby shall retain the amounts shown in the report required under paragraph (D) above, subject to further order of the Commission directing the disposition of those amounts.

(F) If Grigsby elects to commingle these retained refunds with its general assets and use them for its corporate purposes, it shall pay interest thereon at the rate of 6 percent per annum on all funds thus available from September 15, 1964, to the date on which they are paid over to the person ultimately determined to be entitled thereto in a final order of the Commission.

(G) If Grigsby elects to deposit the retained refunds in a special escrow account, Grigsby shall tender for filing on or before September 15, 1964, an executed Escrow Agreement, conditioned as set out below accompanied by certificate show-

[1] The procedure outlined here has no applicability to settlement proposals under the Second and Seventh Amendments to the Statement of General Policy No. 61–1.

ing service of a copy thereof upon United. Unless notified to the contrary by the Secretary within 30 days from the date of filing thereof, the Escrow Agreement shall be deemed to be satisfactory and to have been accepted for filing. The Escrow Agreement shall be entered into between Grigsby and any bank or trust company used as a depositor for funds of the United States Government and the agreement shall be conditioned as follows:

(1) Grigsby, the bank or trust company, and the successors and assigns of each, shall be held and formally bound unto the Federal Power Commission for the use and benefit of those entitled thereto, with respect to all amounts and the interest thereon deposited in a special escrow account, subject to such Agreement, and such bank or trust company shall be bound to pay over to such person or persons as may be identified and designated by final order of the Commission and in such manner as may be therein specified, all or any portion of such deposits and the interest thereon.

(2) The bank or trust company may invest and reinvest such deposits in any short-term indebtedness of the United States or any agency thereof or in any form of obligation guaranteed by the United States which is, respectively, payable within 120 days as the said bank or trust company in the exercise of its sound discretion may select.

(3) Such bank or trust company shall be liable only for such interest as the invested funds described in Paragraph (2) above will earn and no other interest may be collected from it.

(4) Such bank or trust company shall be entitled to such compensation as is fair, reasonable and customary for its services as such, which compensation shall be paid out of the escrow account to such bank or trust company. Said bank or trust company shall likewise be entitled to reimbursement for its reasonable expenses necessarily incurred in the administration of this escrow account, which reimbursement shall be made out of the escrow account.

(5) Such bank or trust company shall report to the Secretary quarterly, certifying the amount deposited in the trust account for the quarterly period.

(H) Grigsby shall, file with the Commission within 30 days from the date of the issuance of this order, an original and one copy of its acceptance or rejection of the terms and conditions of this order, including specifically its agreement to a filing moratorium on each of its filed rate schedules of 36 months from June 1, 1964.

(I) Any party to the proceedings having objections to the terms of this order shall within 30 days from the date of issuance of this Order set forth such objections in writing to the Commission (Original and one copy), and by serving copies on the other parties.

(J) If as a result of any objections filed pursuant to paragraph (I) hereof, the Commission by subsequent order changes Grigsby's duties and obligations hereunder, Grigsby's acceptance of this settlement order shall not be binding on it without its express agreement.

(K) Within 90 days from the date of this order, Grigsby shall make such filings under its rate schedules as are required to make effective the terms of the settlement proposals.

(L) Upon full compliance by Grigsby with all the terms and provisions of this order, the section 4(e) proceedings in Docket Nos. RI61–96 and RI62–536, shall terminate.

(M) Upon termination of the section 4(e) proceeding in Docket No. RI62–536 in accordance with paragraph (L) above, said proceeding shall be severed from the consolidated proceedings in Docket No. AR61–2.

(N) This order is without prejudice to any findings or orders which have been or may be made hereafter by the Commission, and is without prejudice to claims or contentions which may be made by Grigsby, the Commission staff, or any affected party hereto, in any proceedings now pending, including area rate or similar proceedings, or hereafter instituted by or against Grigsby or any other companies, person or parties affected by this order.

By the Commission.[1]

[SEAL] JOSEPH H. GUTRIDE,
Secretary.

[F.R. Doc. 64–9418; Filed, Sept. 16, 1964; 8:46 a.m.]

[Docket No. E–7180]

NEVADA POWER CO.

Notice of Application

SEPTEMBER 10, 1964.

Take notice that on August 31, 1964, an application was filed with the Federal Power Commission, pursuant to section 203 of the Federal Power Act, by Nevada Power Company (Applicant), a corporation organized under the laws of the State of Nevada and doing business in the State of Nevada with its principal office at Las Vegas, Nevada, seeking authorization for the sale of certain of its facilities located in Nye County, Nevada to Amargosa Valley Cooperative, Inc. (Amargosa) of Nye County, Nevada.

The facilities to be sold by Applicant to Amargosa consist of all lines and services, transformers, meters, and rights-of-way and all accessories and appurtenances which form the system of the Applicant in the Lathrop Wells-Amargosa Valley of Nye County, Nevada, except Rock Valley Substation, which are used to service 38 customers and to deliver energy to Southern California Edison Company at the California state line. Amargosa intends to continue the use of the facilities for the same purposes.

The application recites that the consideration will be $350,000 to be paid in cash.

Applicant states that since the Lathrop Wells-Amargosa Valley area is sparsely settled and within the foreseeable future its growth possibilities appear quite limited, Applicant believes that on an economic basis the serving and development of the area cannot be supported or undertaken by more than one electric utility organization. Applicant believes that the Public Service Commission of Nevada in the exercise of its jurisdiction over both electric utility companies and electric cooperatives will not permit the duplication of facilities in the future such as occurred in the Lathrop Wells-Amargosa Valley area. To eliminate the existing duplication, Applicant proposes to sell its facilities.

Any person desiring to be heard or to make any protest with reference to said application should, on or before October 5, 1964, file with the Federal Power Commission, Washington, D.C., 20426, petitions or protests in accordance with the requirements of the Commission's rules of practice and procedure (18 CFR 1.8 or 1.10). The application is on file and available for public inspection.

JOSEPH H. GUTRIDE,
Secretary.

[F.R. Doc. 64–9419; Filed, Sept. 16, 1964; 8:46 a.m.]

OFFICE OF EMERGENCY PLANNING

FLORIDA

Notice of Major Disaster

Pursuant to the authority vested in me by the President under Executive Order 10427 of January 16, 1953, Executive Order 10737 of October 29, 1957, and Executive Order 11051 of September 27, 1962 (18 F.R. 407, 22 F.R. 8799, 27 F.R. 9683); Reorganization Plan No. 1 of 1958, Public Law 85–763, and Public Law 87–296; by virtue of the Act of September 30, 1950, entitled "An Act to authorize Federal assistance to States and local governments in major disasters, and for other purposes" (42 U.S.C. 1855–1855g), as amended; notice is hereby given of a declaration of "major disaster" by the President in his letter to me dated September 8, 1964, reading in part as follows:

I have determined the damage in various areas of Florida adversely affected by Hurricane Cleo, beginning on or about August 26, 1964, to be of sufficient severity and magnitude to warrant disaster assistance by the Federal Government to supplement State and local efforts.

I do hereby determine the following areas in the State of Florida to have been adversely affected by the catastrophe declared a major disaster by the President in his declaration of September 8, 1964:

The Counties of Brevard, Broward, Dade, Indian River, Martin, Okeechobee, Palm Beach, St. Lucie, and Volusia.

Dated: September 10, 1964.

EDWARD A. MCDERMOTT,
Director,
Office of Emergency Planning.

[F.R. Doc. 64–9420; Filed, Sept. 16, 1964; 8:46 a.m.]

[1] This matter was decided prior to the death of Commissioner Woodward who participated in the decision.

SECURITIES AND EXCHANGE COMMISSION

[File No. 811-1121]

CHASE FUND OF BOSTON INVESTMENT PLANS

Notice of Application for Order Declaring Company Has Ceased To Be an Investment Company

SEPTEMBER 11, 1964.

Notice is hereby given that an application has been filed pursuant to section 8(f) of the Investment Company Act of 1940 ("Act") for an order of the Commission declaring that The Chase Fund of Boston Investment Plans ("Applicant") % Chase Distributors Corporation, 75 Federal Street, Boston, Massachusetts, an association created under the laws of The Commonwealth of Massachusetts and a unit investment trust registered under the Act, has ceased to be an investment company.

The applicant, by action of its sponsor, Chase Distributors Corporation, filed a Notification of Registration under the Act on November 7, 1961. Applicant represents that it has never issued any investment plans or other securities or had any capital and does not intend to transact any business whatsoever. A registration statement under the Securities Act of 1933 was withdrawn on August 24, 1964.

Section 8(f) of the Act provides, in pertinent part, that whenever the Commission upon application finds that a registered investment company has ceased to be an investment company, it shall so declare by order and upon the taking effect of such order, the registration of such company shall cease to be in effect.

Notice is further given that any interested person may, not later than October 2, 1964, at 5:30 p.m., submit to the Commission in writing a request for a hearing on the matter accompanied by a statement as to the nature of his interest, the reason for such request and the issues of fact or law proposed to be controverted, or he may request that he be notified if the Commission shall order a hearing thereon. Any such communication should be addressed: Secretary, Securities and Exchange Commission, Washington, D.C. 20549. A copy of such request shall be served personally or by mail (air mail if the person being served is located more than 500 miles from the point of mailing) upon applicant at the address stated above. Proof of such service (by affidavit or in case of an attorney-at-law by certificate) shall be filed contemporaneously with the request. At any time after such date, as provided by Rule 0-5 of the rules and regulations promulgated under the Act, an order disposing of the application herein may be issued by the Commission upon the basis of the showing contained in said application, unless an order for hearing upon said application shall be issued upon request or upon the Commission's own motion.

For the Commission (pursuant to delegated authority).

[SEAL] ORVAL L. DUBOIS, *Secretary.*

[F.R. Doc. 64-9415; Filed, Sept. 16, 1964; 8:46 a.m.]

[File No. 7-2390]

LEESONA CORP.

Notice of Applications for Unlisted Trading Privileges and of Opportunity for Hearing

SEPTEMBER 11, 1964.

In the matter of applications of the Boston Stock Exchange for unlisted trading privileges in certain securities.

The above named national securities exchange has filed applications with the Securities and Exchange Commission pursuant to section 12(f)(1)(B) of the Securities Exchange Act of 1934 and Rule 12f-1 thereunder, for unlisted trading privileges in the common stocks of the following companies, which securities are listed and registered on one or more other national securities exchanges: Leesona Corporation, File 7-2390.

Upon receipt of a request, on or before September 28, 1964 from any interested person, the Commission will determine whether the application with respect to any of the companies named shall be set down for hearing. Any such request should state briefly the title of the security in which he is interested, the nature of the interest of the person making the request, and the position he proposes to take at the hearing, if ordered. In addition, any interested person may submit his views or any additional facts bearing on any of the said applications by means of a letter addressed to the Secretary, Securities and Exchange Commission, Washington 25, D.C., not later than the date specified. If no one requests a hearing with respect to any particular application, such application will be determined by order of the Commission on the basis of the facts stated therein and other information contained in the official files of the Commission pertaining thereto.

For the Commission (pursuant to delegated authority).

[SEAL] ORVAL L. DUBOIS, *Secretary.*

[F.R. Doc. 64-9416; Filed, Sept. 16, 1964; 8:46 a.m.]

[File Nos. 7-2391, 7-2392]

U.S. BORAX & CHEMICAL CORP., AND AMERICAN POTASH & CHEMICAL CORP.

Notice of Applications for Unlisted Trading Privileges and of Opportunity for Hearing

SEPTEMBER 11, 1964.

In the matter of applications of the Philadelphia-Baltimore-Washington Stock Exchange for unlisted trading privileges in certain securities.

The above named national securities exchange has filed applications with the Securities and Exchange Commission pursuant to section 12(f)(1)(B) of the Securities Exchange Act of 1934 and Rule 12f-1 thereunder, for unlisted trading privileges in the common stocks of the following companies, which securities are listed and registered on one or more other national securities exchanges: U.S. Borax & Chemical Corporation, File 7-2392; American Potash & Chemical Corporation, File 7-2391.

Upon receipt of a request, on or before September 28, 1964 from any interested person, the Commission will determine whether the application with respect to any of the companies named shall be set down for hearing. Any such request should state briefly the title of the security in which he is interested, the nature of the interest of the person making the request, and the position he proposes to take at the hearing, if ordered. In addition, any interested person may submit his views or any additional facts bearing on any of the said applications by means of a letter addressed to the Secretary, Securities and Exchange Commission, Washington 25, D.C., not later than the date specified. If no one requests a hearing with respect to any particular application, such application will be determined by order of the Commission on the basis of the facts stated therein and other information contained in the official files of the Commission pertaining thereto.

For the Commission (pursuant to delegated authority).

[SEAL] ORVAL L. DUBOIS, *Secretary.*

[F.R. Doc. 64-9417; Filed, Sept. 16, 1964; 8:46 a.m.]

SMALL BUSINESS ADMINISTRATION

[Delegation of Authority No. 30-VIII (Amdt. 1)]

MINNEAPOLIS AREA

Delegation of Authority To Conduct Program Activities

Pursuant to the authority delegated to the Regional Director by Delegation of Authority No. 30 (Revision 9), 29 F.R. 11777, as corrected and as amended 29 F.R. 12570; Delegation of Authority No. 30-VIII, 29 F.R. 12494, is hereby amended by deleting Item I.A. and substituting the following in lieu thereof:

I. * * *

A. *Size Determinations* (Delegated to the positions as indicated below):

To make initial size determinations in all cases within the meaning of the Small Business Size Standards Regulations, as amended, and further, to make product classification decisions for financial assistance purposes only. Product classification decisions for procurement purposes are made by contracting officers.

Effective date: September 1, 1964.

HARRY A. SIEBEN, *Regional Director, Minneapolis.*

[F.R. Doc. 64-9406; Filed, Sept. 16, 1964; 8:45 a.m.]

[Delegation of Authority No. 30–XI (Amdt. 1)]

REGIONAL DIRECTORS

Delegation of Authority To Conduct Program Activities

Pursuant to the authority delegated to the Regional Director by Delegation of Authority No. 30 (Revision 9), 29 F.R. 11777, as corrected and as amended 29 F.R. 12570; Delegation of Authority No. 30–XI, 29 F.R. 12496, is hereby amended by deleting Item I.A. and substituting the following in lieu thereof:

I. * * *

A. *Size Determinations* (Delegated to the positions as indicated below):

To make initial size determinations in all cases within the meaning of the Small Business Size Standards Regulations, as amended, and further, to make product classification decisions for financial assistance purposes only. Product classification decisions for procurement purposes are made by contracting officers.

* * * * *

Effective date: September 1, 1964.

GEORGE SAUNDERS,
Regional Director, Denver.

[F.R. Doc. 64–9407; Filed, Sept. 16, 1964; 8:45 a.m.]

TARIFF COMMISSION

WILTON AND VELVET FLOOR COVERINGS

Reports to the President

SEPTEMBER 14, 1964.

The U.S. Tariff Commission today submitted to the President a report, under section 351(d)(1) of the Trade Expansion Act of 1962, on developments in the trade in Wilton and velvet floor coverings. Following an escape-clause investigation by the Tariff Commission under section 7 of the Trade Agreements Extension Act of 1951, the President, by proclamations dated March 19 and 27, 1962, increased the rate of duty on Wilton and velvet floor coverings, effective after the close of business on June 17, 1962. Section 351(d)(1) of the Trade Expansion Act of 1962 provides that—

> So long as any increase in, or imposition of, any duty or other import restriction pursuant to this section or pursuant to section 7 of the Trade Agreements Extension Act of 1951 remains in effect, the Tariff Commission shall keep under review developments with respect to the industry concerned, and shall make annual reports to the President concerning such developments.

The report issued today presents statistical data and other information with respect to Wiltons and velvets, with emphasis on developments that have occurred since those described in the Commission's report of September 13, 1963, on such floor coverings.

Copies of the Commission's report (the release of which was authorized by the President) are available upon request as long as the limited supply lasts. Requests should be addressed to the Secretary, U.S. Tariff Commission, 8th and E Sts. NW., Washington, D.C., 20436.

By direction of the Commission.

DONN N. BRENT,
Secretary.

[F.R. Doc. 64–9434; Filed, Sept. 16, 1964; 8:48 a.m.]

INTERSTATE COMMERCE COMMISSION

FOURTH SECTION APPLICATION FOR RELIEF

SEPTEMBER 11, 1964.

Protests to the granting of an application must be prepared in accordance with Rule 1.40 of the general rules of practice (49 CFR 1.40) and filed within 15 days from the date of publication of this notice in the FEDERAL REGISTER.

LONG-AND-SHORT HAUL

FSA No. 39254: *Soybeans to Sherman, Tex.* Filed by Southwestern Freight Bureau, agent (No. B–8609), for interested rail carriers. Rates on soybeans, in carloads, from points in Kansas, Missouri, and Oklahoma, to Sherman, Tex.

Grounds for relief: Carrier competition.

By the Commission.

[SEAL] HAROLD D. MCCOY,
Secretary.

[F.R. Doc 64–9385; Filed, Sept. 16, 1964; 8:45 a.m.]

[Notice 320]

MOTOR CARRIER ALTERNATE ROUTE DEVIATION NOTICES

SEPTEMBER 11, 1964.

The following letter-notices of proposals to operate over deviation routes for operating convenience only have been filed with the Interstate Commerce Commission, under the Commission's Deviation Rules Revised, 1957 (49 CFR 211.1(c)(8)) and notice thereof to all interested persons is hereby given as provided in such rules (49 CFR 211.1(d)(4)).

Protests against the use of any proposed deviation route herein described may be filed with the Interstate Commerce Commission in the manner and form provided in such rules (49 CFR 211.1(e)) at any time, but will not operate to stay commencement of the proposed operations unless filed within 30 days from the date of publication.

Successively filed letter-notices of the same carrier under the Commission's Deviation Rules Revised, 1957, will be numbered consecutively for convenience in identification and protests if any should refer to such letter-notices by number.

MOTOR CARRIERS OF PASSENGERS

No. MC 1515 (Deviation No. 190) GREYHOUND LINES, INC. (Eastern Greyhound Lines Division), 1400 West Third Street, Cleveland, Ohio, 44113, filed September 4, 1964. Carrier proposes to operate as a *common carrier*, by motor vehicle, of *passengers and their baggage*, and *express, mail* and *newspapers* in the same vehicle with passengers, over deviation routes as follows: (A) From Chicago Ill., over Interstate Highway 55 (Southwest Expressway) to junction U.S. Highway 66 and Interstate Highway 294 in Burr Ridge, Ill.; and (B) from Interchange of Interstate Highway 55 (Southwest Expressway) and Illinois Highway 42A (Harlem Ave.) over Illinois Highway 42A (Harlem Ave.) to Stickney, Ill., and return over the same routes, for operating convenience only. The notice indicates that the carrier is presently authorized to transport passengers and the above specified property over a pertinent service route as follows: From Chicago over U.S. Highway 66 to junction Alternate U.S. Highway 66 at a point approximately ten miles northeast of Joliet, Ill., and return over the same route.

By the Commission.

[SEAL] HAROLD D. MCCOY,
Secretary.

[F.R. Doc. 64–9386; Filed, Sept. 16, 1964; 8:45 a.m.]

[Notice 678]

MOTOR CARRIER APPLICATIONS AND CERTAIN OTHER PROCEEDINGS

SEPTEMBER 11, 1964.

Section A. The following publications are governed by the new Special Rule 1.247 of the Commission's rules of practice, published in the FEDERAL REGISTER, issue of December 3, 1963, which became effective January 1, 1964.

Section B. The following publications are governed by the Interstate Commerce Commission's General Rules of Practice including Special Rules (49 CFR 1.241) governing notice of filing of applications by motor carriers of property or passengers or brokers under sections 206, 209, and 211 of the Interstate Commerce Act and certain other proceedings with respect thereto.

All hearings and pre-hearing conferences will be called at 9:30 a.m., United States Standard Time (or 9:30 o'clock a.m., local Daylight Saving Time, if that time is observed), unless otherwise specified.

APPLICATIONS ASSIGNED FOR ORAL HEARING

SECTION A

No. MC 52858 (Sub-No. 100) (AMENDMENT), filed March 2, 1964, published FEDERAL REGISTER, issue of March 18, 1964, amended September 1, 1964, and republished, as amended this issue. Applicant: CONVOY COMPANY, a corporation, 3900 Northwest Yeon Avenue, Portland 10, Oreg. Applicant's attorneys: Marvin Handler and Daniel W. Baker, 625 Market Street, San Francisco 5, Calif. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *New automobiles, trucks*, and *buses*, in second-

ary movements, in truckaway service and in driveaway service, from Milpitas, Calif. to points in Nevada, restricted to shipments having prior movement by rail or truck.

NOTE: The purpose of this republication is to add to the restriction "or truck".

HEARING: Remains as assigned October 6, 1964, in Room 11, Federal Office Building, 50 Fulton Street, San Francisco, Calif., before Joint Board No. 78.

SECTION B

PREHEARING CONFERENCE

MOTOR CARRIERS OF PROPERTY

Prehearing conference. In accordance with Rule 68 of the Commission's General Rules of Practice, notice is hereby given to all parties interested that a prehearing conference in the proceedings described in the applications that follow, will be held at 9:30 a.m., U.S. standard time (or 9:30 a.m., d.s.t., if that time is observed), at the place and time specified after each application.

At the prehearing conference it is contemplated that the following matters will be discussed:

(1) The issues generally with a view to their simplification;

(2) The possibility and desirability of agreeing upon special procedure to expedite and control the handling of this application, including the submission of the supporting and opposing shipper testimony by verified statement;

(3) The time and place or places of such hearing or hearings as may be agreed upon;

(4) The number of witnesses to be presented and the time required for such presentations by both applicant and protestants;

(5) The practicability of both applicant and the opposing carriers submitting in written form their direct testimony with respect to:

(a) Their present operating authority.

(b) Their corporate organizations if any, ownership and control,

(c) Their fiscal data,

(d) Their equipment, terminals and other facilities;

(6) The practicability and desirability of all parties exchanging exhibits covering the immediately above-listed matters in advance of any hearing; and

(7) Any other matters by which the hearing can be expedited or simplified or the Commission's handling thereof aided.

These applications and the authority sought MC 2567 (Sub-No. 7) and No. MC 115840 (Sub-No. 15) are as follows:

No. MC 2567 (Sub-No. 7), filed September 4, 1964. Applicant: BELBEY TRANSFER COMPANY, a corporation, 305 Bergen Street, Harrison, N.J. Applicant's attorney: Morton E. Kiel, 140 Cedar Street, New York 6, N.Y. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Articles*, self-propelled, or not requiring special equipment, each weighing 15,000 pounds or more with or without incidental machinery, tools, parts or supplies moving in conjunction therewith, in driveaway, haulaway, or towaway service, (a) between New York, N.Y., on the one hand, and, on the other, Newark and Harrison, N.J., and points within three miles of Harrison, (b) between points in New Jersey, on the one hand, and, on the other, Fall River, New Bedford, and Taunton, Mass., points in Connecticut and Rhode Island, points in that part of New York on and east of New York Highway 14, and points in that part of Pennsylvania east of the Susquehanna River.

PREHEARING CONFERENCE: September 28, 1964, at the Pickwick Motor Inn, McGee and 10th Street, Kansas City, Mo., before Examiner James C. Cheseldine.

No. MC 19227 (Sub-No. 87) (REPUBLICATION), filed August 13, 1964, published FEDERAL REGISTER, issue of September 2, 1964, and republished this issue. Applicant: LEONARD BROS. TRANSFER, INC., 2595 Northwest 20th Street, Miami, Fla. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Articles*, self-propelled, or not requiring special equipment, each weighing 15,000 pounds or more with or without incidental machinery, tools, parts, or supplies moving in conjunction therewith, in driveaway, haulaway, or towaway service, (1) between points in Texas, and (2) between points in Texas on the one hand, and, on the other, points in Arkansas, Louisiana, and Mississippi.

NOTE: The purpose of this republication is to set forth prehearing conference information.

PREHEARING CONFERENCE: September 28, 1964, at the Pickwick Motor Inn, McGee and 10th Street, Kansas City, Mo., before Examiner James C. Cheseldine.

No. MC 29886 (Sub-No. 196), filed September 4, 1964. Applicant: DALLAS & MAVIS FORWARDING CO., INC., 4000 West Sample Street, South Bend, Ind., 46621. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Articles*, self-propelled, or mobile, on wheels, tracks or rollers, each weighing 15,000 pounds or more, and related *machinery, tools, parts and supplies* moving in connection therewith: (1) Between points in Michigan, restricted against the transportation in interstate or foreign commerce of any traffic the origin and destination of which are both within 35 miles of Detroit, Mich., including Detroit, (2) between points in that part of Michigan or, south, and west of a line beginning at Lake Michigan and extending along the northern boundaries of Allegan, Barry, and Eaton Counties, Mich., to junction Business Route Interstate Highway 96 (formerly U.S. Highway 16), thence along Business Route Interstate Highway 96 to Lansing, Mich., and thence along U.S. Highway 127 to the Michigan-Ohio State line, on the one hand, and, on the other, points in Connecticut, Iowa, Missouri, New Jersey, New York, and Pennsylvania; (3) between points in Michigan on and south of a line extending along the northern boundaries of Allegan, Barry, and Eaton Counties, Mich., thence along Business Route Interstate Highway 96 (formerly U.S. Highway 16) to Lansing, Mich., thence on and west of a line extending along U.S. Highway 127 to Jackson, Mich., thence along unnumbered highway (formerly portion U.S. Highway 127) to junction U.S. Highway 12 (formerly portion U.S. Highway 127), near Somerset Center, Mich., thence along U.S. Highway 12 to junction U.S. Highway 127, near Somerset, Mich., thence along U.S. Highway 127 to the Michigan-Ohio State line, on the one hand, and, on the other, points in Illinois, Indiana, Ohio, and Wisconsin;

(4) between points in Ohio on and north of a line beginning at the Ohio-Indiana State line and extending along U.S. Highway 30 to junction U.S. Highway 30N, near Delphis, Ohio, thence along U.S. Highway 30N to junction U.S. Highway 30, near Mansfield, Ohio, and thence along U.S. Highway 30 to the Ohio-West Virginia State line, points in Indiana and Illinois, and, points in New York on and west of a line beginning at Rochester, N.Y., and extending along U.S. Highway 15 to junction New York Highway 245, thence along New York Highway 39 to junction U.S. Highway 219, thence along U.S. Highway 219 to the New York-Pennsylvania State line, (5) between Toledo, Ohio, on the one hand, and, on the other, points in Indiana, Michigan, New York, and Pennsylvania.

NOTE: The purpose of filing the application is to obtain specific authority, if such authority is required, to transport the described commodities in the area in which applicant holds authority to transport heavy machinery, or commodities which because of size or weight require special equipment or special handling. Applicant proposes to tack and join the authority which may be issued to it in this proceeding, and perform through service via its authorized gateways to the same extent that it may presently perform such through service under its existing certificates. No duplicating authority is sought. Common control may be involved.

PRE-HEARING CONFERENCE: September 28, 1964, at the Pickwick Motor Inn, McGee and 10th Streets, Kansas City, Mo., before Examiner James C. Cheseldine.

No. MC 108119 (Sub-No. 8), filed September 8, 1964. Applicant: E. L. MURPHY TRUCKING CO., a corporation, 2330 West County Road C, St. Paul 13, Minn. Applicant's attorney: Val M. Higgins, 100 First National Bank Building, Minneapolis, Minn., 55402. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Articles*, self-propelled, or not requiring special equipment, each weighing 15,000 pounds or more, with or without incidental machinery, tools, parts, or supplies moving in conjunction therewith, in driveaway, haulaway or towaway service, (1) between points in Minnesota, on the one hand, and, on the other, points in Iowa, North Dakota, South Dakota, Wisconsin, and the upper peninsula of Michigan, (2) between points in Minnesota, on the one hand, and, on the other, points in Montana, Missouri, Illinois, Indiana, Ohio, and the lower peninsula of Michigan, (3) between points in Minnesota, and (4) between points in Minnesota, on the one hand, and, on the other, points in the

United States (except points in Montana, North Dakota, South Dakota, Iowa, Missouri, Wisconsin, Illinois, Indiana, Michigan, Minnesota, Ohio, Washington, Oregon, Idaho and Hawaii). Common control may be involved.

PREHEARING CONFERENCE: September 28, 1964, at the Pickwick Motor Inn, McGee and 10th Streets, Kansas City, Mo., before Examiner James C. Cheseldine.

No. MC 109337 (Sub-No. 5), filed September 4, 1964. Applicant: WATSON BROS. VAN LINES AND HEAVY HAULING CO., a corporation, 3514 South 25th Street, Omaha, Nebr. Applicant's attorney: Samuel Zacharia (same address as applicant). Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Articles, self-propelled, or not requiring special equipment, each weighing 15,000 pounds or more with or without incidental machinery, tools, parts or supplies moving in conjunction therewith*, in driveaway, haulaway, or towaway service, between points in Colorado, Illinois, Iowa, Kansas, Minnesota, Missouri, Nebraska, South Dakota, and Wyoming.

NOTE: Applicant states it is of the belief that it is presently properly certificated to transport the articles within the territory set forth above, but because of a recent judicial decision, it files this application.

PREHEARING CONFERENCE: September 28, 1964, at the Pickwick Motor Inn, McGee and 10th Streets, Kansas City, Mo., before Examiner James C. Cheseldine.

No. MC 115840 (Sub-No. 15), filed September 8, 1964. Applicant: COLONIAL FAST FREIGHT LINES, INC., 1215 Bankhead Highway, Birmingham, Ala. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Articles, self-propelled, or not requiring special equipment, each weighing 15,000 pounds or more with or without incidental machinery, tools, parts or supplies moving in conjunction therewith*, in driveaway, haulaway, or towaway service, and (2) *only empty containers or other such incidental facilities* (not specified), used in transporting the commodities specified in (1) above, between Birmingham, Ala., and points within ten (10) miles thereof, on the one hand, and, on the other, points in Florida, Georgia, Tennessee, Mississippi, and those in that part of Louisiana east of the Mississippi River.

PREHEARING CONFERENCE: September 28, 1964, at the Pickwick Motor Inn, McGee and 10th Streets, Kansas City, Mo., before Examiner James C. Cheseldine.

NOTICE OF FILING OF PETITIONS

No. MC 720 (PETITION FOR LIMITED REOPENING OF "GRANDFATHER" CLAUSE APPLICATION, ASSIGNMENT OF PETITION FOR HEARING, AND MODIFICATION OF PETITIONER'S CERTIFICATE), filed September 1, 1964. Petitioner: BIRD TRUCKING COMPANY, INC., Waupun, Wis. Petitioner's attorney: Charles W. Singer, 33 North La Salle Street, Chicago, Ill., 60602. Petitioner now holds a Certificate in No. MC–720 which authorizes the transportation of washing and cleaning supplies, and paper products, such as are dealt in by retail and wholesale grocery stores, dog food, and groceries, from Chicago, Ill., to a described territory in Wisconsin. In No. MC–C–4355, the Commission instituted an investigation to determine whether petitioner was properly engaged in the transportation, among other things, of "cat food" and "wooden matches". Petitioner has also filed simultaneously herewith an application seeking specific authority to transport, among other things, "cat food" and "wooden matches", from Chicago to the territory in Wisconsin authorized in its present certificate, and has requested that the instant petition be assigned for hearing at the same time and place as the hearing in connection with No. MC–C–4355 and the described extension application. By the instant petition, petitioner, requests the Commission (1) to reopen the "grandfather" clause proceeding of its predecessor, John C. Bird, for the sole purpose of considering whether he was engaged in the transportation of "cat food", or "animal food", and "wooden matches", on and prior to June 1, 1935, (2) to assign the instant petition for hearing, and (3) to revise petitioner's authority from Chicago to the destination territory in Wisconsin described in its present Certificate in accordance with the proof presented. Any person or persons desiring to participate in this proceeding, may, within 30 days from the date of this publication, become a party to this proceeding by filing representations (an original and six copies) supporting or opposing the relief sought by this petition.

No. MC 124735 (Sub-No. 1) (PETITION TO ADD ADDITIONAL SHIPPER), filed August 27, 1964. Petitioner: R. C. KERCHEVAL, JR., Seattle, Wash. Petitioner's representative: Joseph O. Earp, 607 Third Avenue, Seattle, Wash. Petitioner is authorized in Permit No. MC 124735 (Sub-No. 1) to conduct operations as a contract carrier, in interstate or foreign commerce, to transport, over irregular routes, Parts of mobile homes and utility trailers, automotive springs, suspensions and parts thereof, brake drums, brake assemblies and parts thereof, tailgate hoists and parts thereof, wheels and wheel attaching parts, and parts for motor vehicle chassis and motor vehicle undercarriage, from points in Illinois, Indiana, Iowa, Michigan, Missouri, Ohio, and Wisconsin, to Billings, Butte, and Great Falls, Mont., and Seattle and Spokane, Wash., limited to a transportation service to be performed, under a continuing contract, or contracts, with Motor Wheel and Parts, Inc., of Seattle, Wash. By the instant petition, petitioner requests that it's Permit be amended to add Six Robblees' Inc. of Washington, as an additional shipper. Any person or persons desiring to participate in this proceeding, may, within 30 days from the date of this publication, become a party to this proceeding by filing representations (an original and six copies) supporting or opposing the relief sought by this petition.

APPLICATIONS FOR CERTIFICATES OR PERMITS WHICH ARE TO BE PROCESSED CONCURRENTLY WITH APPLICATIONS UNDER SECTION 5 GOVERNED BY SPECIAL RULE 1.240 TO THE EXTENT APPLICABLE

No. MC 2202 (Sub-No. 268), filed August 27, 1964. Applicant: ROADWAY EXPRESS, INC., 1077 Gorge Boulevard, Akron, Ohio. Applicants attorney: Russell R. Sage, 2001 Massachusetts Avenue NW., Washington, D.C., 20036. Authority sought to operate as a *common carrier*, by motor vehicle, over regular routes, transporting: *General commodities* (except those of unusual value, dangerous explosives, household goods as defined in *Practices of Motor Common Carriers of Household Goods*, 17 M.C.C. 467, commodities in bulk, commodities requiring special equipment, and those injurious or contaminating to other lading), between Boston, Mass., and Syracuse, N.Y., (1) from Boston over Massachusetts Highway 9 to Pittsfield, Mass. (also from Boston over U.S. Highway 20 to Pittsfield), thence over U.S. Highway 20 via Albany and Cazenovia, N.Y., to junction New York Highway 92, and thence over New York Highway 92 to Syracuse; (2) from Boston to Albany as specified above, thence over New York Highway 5 via Vernon, N.Y., to Syracuse; and (3) from Boston to Vernon as specified above, thence over New York Highway 234 to junction New York Highway 31, thence over New York Highway 31 to Cicero, N.Y., and thence over U.S. Highway 11 to Syracuse, and return over the same routes, serving all intermediate points, and off-route points within ten (10) miles of the above-specified routes, those within ten (10) miles of Boston, and those within ten (10) miles of Syracuse.

NOTE: Applicant states the purpose of this instant application is to join the aforesaid routes of the Western Express Company with its authorized regular routes between Cleveland, Ohio, and New York, N.Y., at the point of Albany, N.Y. This is a matter to be concurrently handled with MC–F 8866, published in the FEDERAL REGISTER, issue of September 10, 1964.

APPLICATIONS UNDER SECTIONS 5 AND 210a(b)

The following applications are governed by the Interstate Commerce Commission's special rule governing notice of filing of applications by motor carriers of property or passengers under sections 5(a) and 210a(b) of the Interstate Commerce Act and certain other proceedings with respect thereto. (49 CFR 1.240)

MOTOR CARRIERS OF PROPERTY

No. MC–F–8875. Authority sought for purchase by ALTON LEANDER McALISTER, 1610 East Scott Street, Wichita Falls, Tex., of a portion of the operating rights of D. E. McALISTER GRAHAM, doing business as McALISTER TRUCKING CO., Post Office Box 839, Abilene, Tex. Applicants' attorney: Ewell H. Muse, Jr., 415 Perry Brooks Building, Austin, Tex. Operating rights sought to be transferred: *Machinery*,

equipment, materials, and *supplies,* used in, or in connection with, the discovery, development, production, refining, manufacture, processing, storage, transmission, and distribution of natural gas, and petroleum and their products, and byproducts, and *machinery, materials, equipment,* and *supplies,* used in, or in connection with the construction, operation, repair, servicing, maintenance and dismantling, of pipe line, including the stringing and picking up thereof, as a *common carrier,* over irregular routes, between points in Texas, Oklahoma, Louisiana, and New Mexico; *machinery and equipment,* used in, or in connection with, the discovery, development, production, refining, manufacture, processing, storage, transmission, and distribution of sulphur and its products, and *materials and supplies* (not including sulphur) used in, or in connection with, the discovery, development, production, refining, manufacture, processing, storage, transmission, and distribution of sulphur and its products, restricted to the transportation of shipments of materials and supplies moving to or from exploration, drilling, production, job, construction, plant (including refining, manufacturing, and processing plant) sites or storage sites, between points in Texas, Oklahoma, Louisiana, and New Mexico; *machinery, equipment, materials and supplies,* used in or in connection with, the drilling of water wells, between points in Texas, Oklahoma, Louisiana, and New Mexico; and *machinery, equipment, materials, and supplies,* used in or in connection with the construction, operation, repair, servicing, maintenance, and dismantling of pipelines, other than pipelines used for the transmission of natural gas, petroleum, their products and byproducts, water, or sewerage, restricted to the transportation of shipments moving to or from pipeline rights of way, between points in Texas, Oklahoma, Louisiana, and New Mexico. Vendee is authorized to operate as a *common carrier* in Oklahoma, Kansas, Texas, New Mexico, Arizona, Colorado, Missouri, Utah, Wyoming, Idaho, Montana, Illinois, Indiana, Kentucky, and Nevada. Application has not been filed for temporary authority under section 210a(b).

No. MC–F–8876. Authority sought for purchase by EMANUEL BUTLER, SR., AND EMANUEL BUTLER, JR., a partnership, doing business as BUTLER TRUCKING COMPANY, Post Office Box 44, Drifting, Pa., of a portion of the operating rights of ROBERT NELSON HINES, doing business as CENTRE CARRIERS, 1006 West College Avenue, State College, Pa. Applicants' attorney: Christian V. Graf, 407 North Front Street, Harrisburg, Pa. Operating rights sought to be transferred: *Clay products,* as a *common carrier,* over irregular routes, from points in Centre County, Pa., to points in Massachusetts, Connecticut, New York, New Jersey, Ohio, Delaware, Maryland, and West Virginia. Vendee is authorized to operate as a *common carrier,* in Pennsylvania, New Hampshire, Vermont, Massachusetts, Connecticut, Rhode Island, and Maine. Application has not been filed for temporary authority under section 210a(b).

No. MC–F–8878. Authority sought for purchase by EASTERN FREIGHTWAYS, INC. (N.Y. CORP.), Eastern and Moonachie Avenues, Carlstadt, N.J., 07072, of the operating rights and property of SAMUEL SHEIN, HERMAN SHEIN, JULES Y. SHEIN, AND PHILLIP SHEIN, a partnership, doing business as SHEIN'S EXPRESS, 1225 Calhoun Street, Trenton, N.J., and for acquisition by NANTAM SYSTEM, INC., and, in turn by DANIEL E. SHEVELL and MYRON P. SHEVELL, all of Carlstadt, N.J., of control of such rights and property through the purchase. Applicants' attorney: Maxwell A. Howell, 1120 Investment Building, 1511 K Street NW., Washington, D.C., 20005. Operating rights sought to be transferred: *General commodities,* excepting, among others, household goods and commodities in bulk, as a *common carrier,* over regular routes, between New York, N.Y., and Philadelphia, Pa., between Newark, N.J., and Philadelphia, Pa., between Trenton, N.J., and Philadelphia, Pa., between Trenton, N.J., and Camden, N.J., between Newark, N.J., and Yardville, N.J., between Philadelphia, Pa., and Wilmington, Del., between Camden, N.J., and Chester, Pa., between Bridgeport, N.J., and Wilmington, Del., serving all intermediate and certain offroute points. RESTRICTION: The service authorized above is subject to the limitation that service at Wilmington, Camden, intermediate or off-route points south of Philadelphia, and points south of Camden is restricted to shipments moving over carrier's lines to or from points north of Philadelphia or points north of Camden; between Buffalo, N.Y., and New York, N.Y., between Syracuse, N.Y., and Oswego, N.Y., serving all intermediate points, numerous alternate routes for operating convenience only; *general commodities,* excepting, among others, household goods and commodities in bulk, over irregular routes, between points in Essex, Union, Morris, Passaic, Bergen, Monmouth, and Middlesex Counties, N.J., on the one hand, and, on the other, Newark, N.J.; *paint and paint materials, stains, varnishes, lacquers, paint and varnish removers, spot remover,* and *petroleum products,* all in containers, *putty, brushes, insecticides,* and *such merchandise,* as is dealt in by retail food stores, between New York, N.Y., Newark, N.J., and points in New Jersey within 15 miles of Newark, on the one hand, and, on the other, certain points in New York. Vendee is authorized to operate as a *common carrier* in Vermont, New York, New Jersey, Pennsylvania, Connecticut and Massachusetts. Application has been filed for temporary authority under section 210a(b).

MOTOR CARRIERS OF PASSENGERS

No. MC–F–8744 (TRANSCONTINENTAL BUS SYSTEM, INC.—CONTROL—VIRGINIA STAGE LINES, INC., ET AL.), published in the May 13, 1964, issue of the FEDERAL REGISTER on page 6299, and No. MC–F–8774 (TRANSCONTINENTAL BUS SYSTEM, INC.—CONTROL—QUEEN CITY COACH CO., ET AL.), published in the June 17, 1964, issue of the FEDERAL REGISTER on page 7738. Amendment filed September 9, 1964, in both No. MC–F–8744 and No. MC–F–8774, for TRANSCONTINENTAL BUS SYSTEM, INC., to indirectly control (1) CAROLINA SCENIC STAGES, 1310½ Asheville Highway, Post Office Box 1011, Spartanburg, S.C., (2) COASTAL STAGES CORPORATION, 1310½ Asheville Highway, Post Office Box 1011, Spartanburg, S.C., and (3) THE GRAY LINE OF CHARLESTON, 101 St. Phillip Street, Charleston, S.C., through the proposed acquistion of control of VIRGINIA STAGE LINES, INC., and QUEEN CITY COACH CO. Operating rights sought to be controlled: (1) (CAROLINA SCENIC STAGES) The operating authority of this carrier was summarized in No. MC–F–8648 (EASTERN TRAILWAYS, INC.—CONTROL — CAROLINA SCENIC STAGES), published in the January 15, 1964, issue of the FEDERAL REGISTER on page 386; (2) (COASTAL STAGES CORPORATION) Passengers and their baggage, and express and newspapers in the same vehicle with passengers, as a *common carrier,* over regular routes, between Charleston, S.C., and Moncks Corner, S.C., serving the intermediate points of Charleston Naval Base, Summerville, and Charleston Air Force Base, S.C., between St. Matthews, S.C., and junction Alternate U.S. Highway 17 and U.S. Highway 521, between junction U.S. Highway 601 and South Carolina Highway 267, and Orangeburg, S.C., between Camden, S.C., and Myrtle Beach, S.C., between Andrews, S.C., and junction South Carolina Highway 41 and Alternate U.S. Highway 17, between junction Alternate U.S. Highway 17 and U.S. Highway 176, and Ten Miles Hill, S.C. (junction U.S. Highway 52 and Airport Road), between Eutawville, S.C., and Holly Hill, S.C., serving all intermediate points; (3) (THE GRAY LINE OF CHARLESTON) Passengers and their baggage, as a *common carrier,* over regular routes, (a) with no seasonal restrictions, between Charleston, S.C., and Isle of Palms, S.C., serving all intermediate points, (b) during the season extending from the 1st day of June to the 30th day of September, inclusive, between Charleston, S.C., and Folly Beach, S.C., serving all intermediate points, (c) during the season extending from the 1st day of January to the 30th day of April, inclusive, between Charleston, S.C., and Summerville, S.C., serving no intermediate points.

No. MC–F–8877. Authority sought for purchase by JOHNSON COUNTY SUBURBAN LINES, INC., 433 Washington Avenue, North Little Rock, Ark., of a portion of the operating rights and certain property of MIDWEST BUSLINES, INC., 433 Washington Avenue, North Little Rock, Ark., and for acquisition by MIDWEST BUSLINES, INC., and, in turn by TRANSCONTINENTAL BUS SYSTEM, INC., 315 Continental Avenue, Dallas, Tex., of control of such rights and property through the purchase. Applicants' attorneys: Warren A. Goff and D. Paul Stafford, 315 Continental Avenue, Dallas, Tex., 75207. Operating rights sought to be transferred: Passengers and their baggage, and express and newspapers in the same vehicle with passengers, as a *common*

carrier, over regular routes, between Kansas City, Mo., and Olathe, Kans., between Kansas City, Mo., and junction U.S. Highway 69 and 75th Street, Johnson County, Kans., between Olathe, Kans., and U.S. Naval Base (located approximately five miles south of Olathe), between junction U.S. Highway 50 and Kansas Highway 58, and junction U.S. Highways 50 and 69, between junction Johnson Drive and Roe Avenue and junction 69th Street and U.S. Highway 69, in Johnson County, Kans., between junction Roe Avenue and 67th Street and junction Roe Avenue and 75th Street, in Johnson County, Kans., between junction 75th Street and Nall Avenue and junction Prairie Lane and Tomahawk Road, in Johnson County, Kans., between junction Nall Avenue and Johnson Drive and junction Nall Avenue and 69th Street, in Johnson County, Kans., between junction Belinder Road and Tomahawk Road and junction Tomahawk Road and Wenonga Road, in Johnson County, Kans., between junction 80th Street and Kansas Highway 58 and junction 76th Street and U.S. Highway 69, in Johnson County, Kans., Between junction Kansas Highway 58 and 81st Street and junction Hardy Street and Kansas Highway 58, in Johnson County, Kans., between junction Kansas Highway 58 and 80th Street and junction 80th Street and Kansas Highway 58 (Loop Route), in Johnson County, Kans., between junction U.S. Highway 69 and 81st Street in Overland Park, Johnson County, Kans., and junction 83d Street and U.S. Highway 69 in Overland Park, between certain points in Johnson County, Kans., between certain points in Mission Township, Johnson County, Kans., between junction Nieman Road and 67th Street Terrace and junction Nieman Road and 69th Street Terrace, in Shawnee Village, Johnson County, Kans., between junction 75th Street and Nall Avenue and junction 79th Street and Tomahawk Road, in Johnson County, Kans., between junction U.S. Highway 50 and Antioch Road, and junction 75th Street and U.S. Highway 50, in Johnson County, Kans., between junction Kansas Highway 58 (Santa Fe Trail) and 80th Street in Overland Park, Kans., and junction Mission Road and U.S. Highway 50 in Johnson County, Kans., serving all intermediate points; newspapers, in the same vehicle with passengers, between Kansas City, Mo., and Junction Kansas Highway 58 and Antioch Road, near Overland Park, Kans., serving all intermediate points. Vendee holds no authority from this Commission. However, its controlling stockholder, TRANSCONTINENTAL BUS SYSTEM, INC., is authorized to operate as a *common carrier* in Illinois, Missouri, Kansas, California, Colorado, New Mexico, Arizona, Texas, Oklahoma, Utah, Nebraska, Arkansas, Iowa, and Louisiana. Application has not been filed for temporary authority under section 210a(b).

By the Commission.

[SEAL] HAROLD D. McCOY, *Secretary.*

[F.R. Doc. 64-9387; Filed, Sept. 16, 1964; 8:45 a.m.]

[Notice 680]

MOTOR CARRIER APPLICATIONS AND CERTAIN OTHER PROCEEDINGS

SEPTEMBER 11, 1964.

The following publications are governed by the new Special Rule 1.247 of the Commission's rules of practice published in the FEDERAL REGISTER, issue of December 3, 1963, which became effective January 1, 1964.

MOTOR CARRIERS OF PROPERTY

The applications immediately following are assigned for hearing at the time and place designated in the notice of filing as here published in each proceeding. All of the proceedings are subject to the Special Rules of Procedure for Hearing outlined below:

Special rules of procedure for hearing. (1) All of the testimony to be adduced by applicant's company witnesses shall be in the form of written statements which shall be submitted at the hearing at the time and place indicated.

(2) All of the written statements by applicant's company witnesses shall be offered in evidence at the hearing in the same manner as any other type of evidence. The witnesses submitting the written statements shall be made available at the hearing for cross-examination, if such becomes necessary.

(3) The written statements by applicant's company witnesses, if received in evidence, will be accepted as exhibits. To the extent the written statements refer to attached documents such as copies of operating authority, etc., they should be referred to in written statement as numbered appendices thereto.

(4) The admissibility of the evidence contained in the written statements and the appendices thereto, will be at the time of offer, subject to the same rules as if the evidence were produced in the usual manner.

(5) Supplemental testimony by a witness to correct errors or to supply inadvertent omissions in his written statement is permissible.

No. MC 110563 (Sub-No. 24), filed September 8, 1964. Applicant: COLDWAY FOOD EXPRESS, INC., West North Street, Post Office Box 259, Sidney, Ohio. Applicant's attorney: Joseph Scanlan, 111 West Washington Street, Chicago, Ill. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Meats, meat products, meat byproducts, articles distributed by meat packinghouses and such articles as are used by meatpackers* in the conduct of their business when destined to and used by meat packers, as described in Sections A, C, and D of Appendix I, in *Descriptions in Motor Carrier Certificates*, 61 M.C.C. 209 from the plant site and warehouse facilities of Agar Packing Co., located at or near Monmouth, Ill., to points in Massachusetts, Connecticut, Rhode Island, New York, New Jersey, Pennsylvania, and the District of Columbia.

HEARING: September 23, 1964, at Midland Hotel, Chicago, Ill., before Examiner William J. Cave.

By the Commission.

[SEAL] HAROLD D. McCOY, *Secretary.*

[F.R. Doc. 64-9388; Filed, Sept. 16, 1964; 8:45 a.m.]

FOURTH SECTION APPLICATION FOR RELIEF

SEPTEMBER 14, 1964.

Protests to the granting of an application must be prepared in accordance with Rule 1.40 of the general rules of practice (49 CFR 1.40) and filed within 15 days from the date of publication of this notice in the FEDERAL REGISTER.

LONG-AND-SHORT HAUL

FSA No. 39255: *Commodities to and from Freeport, Tex.* Filed by Southwestern Freight Bureau, Agent (No. B-8610), for interested rail carriers. Rates on property moving on export, import, coastwise, and intercoastal, class, exceptions and commodity rates, also domestic rates to the extent that such rates apply on like traffic, between points in Arkansas, Colorado, Kansas, Louisiana, Missouri, eastern New Mexico, Oklahoma, and Texas, on the one hand, and Freeport, Tex., on the other.

Grounds for relief: Rates prescribed or approved in *Brazos River Harbor Nav. Dist.* v. *Abilene & S. Ry. Co.*, 322 I.C.C. 529.

By the Commission.

[SEAL] HAROLD D. McCOY, *Secretary.*

[F.R. Doc. 64-9436; Filed, Sept. 16, 1964; 8:48 a.m.]

[Investigation and Suspension Docket No. M-18752, M-18752 (Sub No. 1)]

CENTRAL TERRITORY, ILLINOIS AND INDIANA

Per Shipment Surcharge and Increased Minimum Charges

It appearing, that by orders dated August 26 and 28, 1964, in the above-entitled proceedings, the Board of Suspension instituted an investigation into and concerning the lawfulness of the rates, charges, and regulations contained in certain schedules described therein; and that by orders dated August 27 and 28, 1964, modified procedure was directed in the above-entitled proceedings.

It further appearing, that under section 216(g) of the Interstate Commerce Act respondents have the burden of proof to show that the proposed changed rates, charges, and regulations are just and reasonable;

And it further appearing, that in order that consideration be given to all factors which may bear upon a proper determination of the issues, including the question whether the resulting revenues would be just and reasonable, it is deemed appropriate in the public interest and pursuant to section 216(i) of the act that the information specified below be included in the record to be developed in these proceedings;

And good cause appearing therefor:

It is ordered, That the orders of August 27 and 28, 1964, directing modified procedure in the above-entitled proceedings be, and they are hereby, vacated and set aside.

It is further ordered, That respondents be, and they are hereby, notified and required to submit information and supporting data which shall include, among other things, actual cost and revenue data (including anticipated revenue to show the effect of the proposed increase) and operating ratios specifically related to the traffic and territories involved, over-all operating ratios, detailed data to establish the representative nature of the carriers used, and detailed data to disclose carrier-affiliate financial and operating relationships and transactions, as generally indicated by the admonitions in General Increase—Middle Atlantic and New England Territories, 319 I.C.C. 168, and in General Increases—Transcontinental, 319 I.C.C. 792, and in addition all pertinent evidence and supporting data for the individual representative carriers regarding, but not limited to, the following as they relate to their over-all operations and to those specifically relating to the traffic and territories involved:

(1) Ratios of net income before and after income taxes to net worth (assets minus liabilities),

(2) Ratio of net carrier operating income to total carrier operating revenues,

(3) Ratios of net income before and after income taxes to total carrier operating revenues,

(4) Ratio of net carrier operating income to net book value of carrier operating property plus net working capital (current assets minus current liabilities),

(5) Ratios of net income before and after income taxes to net book value of carrier operating property plus net working capital (current assets minus current liabilities);

It is further ordered, That the detailed data required to be submitted by respondents regarding carrier-affiliate financial and operating relationships and transactions shall include, with respect to any and all individuals, partnerships, and corporations affiliated with respondents, the following information:

1. Name of each affiliate from which respondent, during the year 1963, acquired, leased or purchased lands, buildings, equipment, materials, supplies, parts, tires, tubes, gasoline, oil, or other property or services used by respondent in its operations as a motor common carrier.

2. Kinds of property or service which each affiliate supplied to respondent.

3. Basis of charges for property or services supplied by affiliate to respondent, including the base and rate for rental charges.

4. Total charges by each affiliate to respondent during year 1963 for:

a. Lease of vehicles.

b. Lease of terminals.

c. Lease of other property.

d. Pickup and delivery of shipments.

e. Repair and servicing of vehicles.

f. Management, accounting, financial, legal, purchasing, or traffic solicitation services.

g. Property sold by affiliate to respondent.

5. If the affiliate derives revenue from the sale or lease of property or from services through transactions with persons other than respondent, indicate the percentage of the revenue of such business to the total revenue of the affiliate in the year 1963.

6. A copy of the income statements of each affiliate for the year 1963 and the latest period of 1964 for which an income statement is availabe.

7. A statement listing the amounts of wages, salaries, bonuses, and other compensation paid by the affiliate in 1963 to any individual who is also a respondent or an officer, director or substantial stockholder of a respondent; or the wife or close relative of a respondent or officer, director or substantial stockholder of a respondent.

8. The term "affiliate" as used in this order means:

a. Any individual who is also a respondent; an officer, director, or substantial stockholder of a respondent; or the wife or close relative either of a respondent, or of an officer, director, or substantial stockholder of a respondent.

b. Any partnership in which one of the partners is a respondent; an officer, director, or substantial stockholder of a respondent; or the wife or close relative either of a respondent or of an officer, director, or substantial stockholder of a respondent.

c. Any corporation whose stock is wholly or partly owned by a respondent; by an officer, director, or substantial stockholder of a respondent; or by the wife or close relative either of a respondent or of an officer, director, or substantial stockholder of a respondent.

d. Any corporation which exercises control over the operations or finances of respondent.

It is further ordered, That the traffic studies to be submitted shall be based upon actual operations conducted during identical periods of time for each carrier, and the actual cost studies shall be based upon the operations of the same carriers as used in the traffic studies; and that the periods of time selected for, as well as the motor carriers used in, such cost and traffic studies shall be shown to be representative and their selection statistically sound;

It is further ordered, That all of the required data specified in this order shall be based upon and reflect at least the most recent annual reporting period;

It is further ordered, That the detailed information called for by this order with respect to carrier-affiliates shall be in writing and shall be verified by a person or persons having knowledge thereof, and a verified original and two additional copies, shall be mailed to the Secretary, Interstate Commerce Commission, Washington, D.C., 20423, in sufficient time to reach the Commission on or before November 30, 1964; and, in addition, that this information is to be introduced into evidence by respondents but may be in summary form, if so desired, cf. Surcharge on Small Shipments Within Central States, 63 M.C.C. 157;

It is further ordered, That:

(1) The respondents and interveners in support thereof shall serve on the parties of record on or before November 30, 1964, their direct evidence in the form of verified statements (with appendices, if any); and that they also, at the same time, shall mail two copies to this Commission, together with certificates of service in accordance with rules 1.22(a) of the General Rules of Practice; and the original shall be tendered at the hearing;

(2) The protestants and interveners in support thereof shall serve on the parties of record on or before January 4, 1965, their evidence in the form of verified statements (with appendices, if any); and that they shall comply also with the provisions in the preceding paragraph regarding the mailing and service of statements;

(3) These proceedings be, and they are hereby, assigned for hearing on January 25, 1965, at 9:30 a.m., U.S. standard time at the Palmer House, Chicago, Ill., for the purpose of receipt in evidence of the verified statements, cross-examination thereon is requested, and the introduction of rebuttal evidence, and to permit the examiner to close the record;

(4) Parties desiring to cross-examine witnesses who have submitted verified statements must give notice, in writing, of such request to affiant and his counsel, if any, on or before January 18, 1965, a copy of such notice to be filed simultaneously with this Commission. Failure of any witness whose attendance is requested to appear at the hearing for cross-examination shall be considered good cause for the rejection of his verified statement (with appendices, if any);

(5) All underlying data used in the preparation of evidence set forth in the verified statements (with appendices, if any) shall be made available in the office of the party serving such verified matter during usual office hours for inspection by any party of record desiring to do so; and that underlying data shall be made available also at the hearing, but only if and to the extent specifically requested in writing and required by any party for the purpose of cross-examination;

(6) Anyone desiring to become a party of record and to participate in the hearing, and receive and/or serve copies of the evidence to be filed in accordance with the procedure set forth above, must notify the Commission and all the then known parties of record, in writing, on or before October 15, 1964. Attached hereto is a list of the presently known interested persons.

(7) Evidence presented which fails to conform to the above outlined procedure will not become a part of the record in this proceeding.

It is further ordered, That a copy of this order be delivered to the Director, Division of Federal Register, for publication in the FEDERAL REGISTER as notice to all interested persons.

And it is further ordered, That, to avoid future unnecessary service upon those respondents who, although participating carriers in the tariff schedules which are the subject of investigation herein, are not actively interested in the outcome of such investigation, subsequent service on

respondents herein of notices and orders of the Commission will be limited to those respondents who:

(1) Have been identified by name in the order or orders of investigation herein,

(2) Specifically make written request to the Secretary of the Commission to be included on the service list, or

(3) Have appeared at a hearing.

Dated at Washington, D.C., this 2d day of September A.D. 1964.

By the Commission.

[SEAL] HAROLD D. McCOY, *Secretary.*

INVESTIGATION AND SUSPENSION DOCKET No. M-18752

INVESTIGATION AND SUSPENSION DOCKET No. M-18752 (SUB. No. 1)

SERVICE LIST AS OF SEPTEMBER 2, 1964

Known Interested Persons

Morris D. Acree,
Mississippi Valley Motor Freight Bureau, Inc.,
415 Buder Building,
St. Louis 1, Mo.

E. G. Simouser,
Central States Motor Freight Bureau, Inc.,
316 East Ohio Street,
Chicago, Ill., 60611.

Walter C. Adler, T.M.,
Continental Transportation Lines, Inc.,
Continental Square, Graham Street,
McKees Rocks, Pa.

Frank B. Klimek, T.M.,
South Bend Freight Line, Inc.,
1200 South Olive Street,
South Bend 24, Ind.

J. G. Ihnet, G.T.M.,
Diana Manufacturing Co.,
P.O. Box 70,
Green Bay, Wis., 54305.

C. E. Walker, G.T.M.,
Royal Crown Cola Co.,
P.O. Drawer 1440,
Columbus, Ga., 31902.

H. I. Power, T.M.,
Atlanta Freight Bureau,
Walco Building, 41 Pryor Street NE.,
Atlanta 1, Ga.

L. O. Kimberly, Jr., Manager,
The Southern Traffic League, Inc.,
22 Marietta Street,
Atlanta, Ga., 30303.

Philip H. Porter,
Porter and Porter,
708 First National Bank Building,
Madison, Wis., 53703.

James P. Haynes, Manager,
Louisville Chamber of Commerce,
300 West Liberty Street,
Louisville 2, Ky.

James Hewitt, Attorney,
Montgomery Ward & Co., Incorporated,
619 West Chicago Avenue,
Chicago, Ill.

Reihard A. Whitty,
Transportation Director,
Belknap Hardware and Manufacturing Co.,
111 East Main Street,
Louisville, Ky., 40201.

John J. C. Martin,
American Home Products Corp.,
685 Third Avenue,
New York 17, N.Y.

E. F. Stadelman, T.M.,
J. C. Penney Company, Inc.,
330 West 34th Street,
New York, N.Y., 10001.

John F. Bohman,
American Gear Manufacturers Association, et al.,
335 East Broadway,
Gardner, Mass.

John M. Cleary, Attorney,
Pope Ballard & Loos,
888 17th Street NW.,
709 Brawner Building,
Washington, D.C., 20006.

Richard S. Weber, V.P.
George Drummey Cartage Corp.,
Oak and Harrison Streets,
Michigan City, Ind.

[F.R. Doc. 64-9434; Filed, Sept. 16, 1964; 8:48 a.m.]

[Notice 1044]

MOTOR CARRIER TRANSFER PROCEEDINGS

SEPTEMBER 14, 1964.

Synopses of orders entered pursuant to section 212(b) of the Interstate Commerce Act, and rules and regulations prescribed thereunder (49 CFR Part 179), appear below:

As provided in the Commission's special rules of practice any interested person may file a petition seeking reconsideration of the following numbered proceedings within 20 days from the date of publication of this notice. Pursuant to section 17(8) of the Interstate Commerce Act, the filing of such a petition will postpone the effective date of the order in that proceeding pending its disposition. The matters relied upon by petitioners must be specified in their petitions with particularity.

No. MC-F 66801. By order of September 9, 1964, The Transfer Board approved the transfer to Michael Bednasz, doing business as Hamburg Delivery, Hamburg, New York, of the operating rights in corrected certificate in No. MC 18691, and in certificate of registration in No. MC 18691 Sub 2, issued August 2, 1960, and February 25, 1964, respectively, to Irving Evenden, doing business as Hamburg Delivery, Hamburg, New York, authorizing in the said certificate, the transportation, over irregular routes, of general commodities, excluding household goods, commodities in bulk, and other specified commodities, between Buffalo, N.Y., and Hamburg, N.Y., and from Buffalo, N.Y., to Boston and North Boston, N.Y., and in the said certificate of registration, general commodities, between all points in Erie County, N.Y. William J. Hirsch, 43 Niagara Street, Buffalo, N.Y., attorney for applicants.

No. MC-FC 66889. By order of September 10, 1964, The Transfer Board approved the transfer to Union Transfer and Storage Company, Inc., Asheville, N.C., of the operating rights in Certificates Nos. MC 96435 and MC 96435 and Sub 1, issued November 7, 1956, and February 2, 1954, respectively to S. B. Walters, doing business as Union Transfer Co., Asheville, N.C., authorizing the transportation over irregular routes, of soap, soap products, and lard substitutes, and general commodities, excluding household goods, commodities in bulk, and other specified commodities, from Asheville, N.C., to points in North Carolina within 60 miles, and 125 miles, respectively, of Asheville. James S. Howell, attorney at law, 512 Gennett Building, Asheville, N.C., attorney for Applicants.

No. MC-FC 67038. By order of September 9, 1964, The Transfer Board approved the transfer to Gary William Iller, doing business as Cottage Grove-Eugene Freight Company, Post Office Box 586, Old Highway North, Cottage Grove, Oreg., of Certificate in No. MC 4312, issued January 3, 1957, to Everett G. Miller and Berneice J. Miller, doing business as Cottage Grove-Eugene Freight Company, Post Office Box 586, Old Highway North, Cottage Grove, Oreg., authorizing the transportation of: General commodities, excluding household goods, commodities in bulk, and other specified commodities, between Cottage Grove, Oreg., and Eugene, Oreg., serving the intermediate points of Goshen, Saginaw, Walker, and Creswell, and between Cottage Grove, Oreg., and Disston, Oreg., serving the intermediate points of Culp Creek and Dorena.

No. MC-FC 67048. By order of September 10, 1964, The Transfer Board approved the transfer to Don Brentner Trucking Co., Inc., Rockford, Ill., of certificate in No. MC 103896, issued December 9, 1948, to Donald Brentner, doing business as Brentner Trucking Company, Rockford, Ill., authorizing the transportation of: Fertilizer, from Lake County, Ind., to points in Winnebago, Stephenson, and Ogle Counties, Ill.; feed, from Burlington, Wis., to points in the above Illinois counties; feed, fertilizer, and lime, from Milwaukee, Cudahy, and South Milwaukee, Wis., to points in the said Illinois counties; livestock, from Avon, Newark, Beloit, and Turtle Townships, Rock County, Wis., to Chicago, Ill., from points in Winnebago, Stephenson, and Ogle Counties, Ill., to Milwaukee, Cudahy, South Milwaukee, and Madison, Wis.; and between points in Winebago, Stephenson, and Ogle Counties, Ill., on the one hand, and, on the other, Cook County, Ill.; and grain and seed, between points in Winnebago, Stephenson, and Ogle Counties, Ill., on the one hand, and, on the other, points in Racine, Dane, Rock, and Walworth Counties, Wis. Robert W. Gosdick, 611 Illinois National Bank Building, Rockford, Ill., attorney for applicants.

No. MC-FC 67053. By order of September 9, 1964, The Transfer Board approved the transfer to Arrow Moving and Storage Co., Inc., Cheyenne, Wyo., of certificates Nos. MC 96339 and MC 96339 Sub 6, both issued April 16, 1964, to Larry Foster Meredith, doing business as Arrow Moving & Storage Co., Cheyenne, Wyo., authorizing the transportation of: General commodities, between points in Cheyenne, Wyo., in collection and delivery service, between Cheyenne, Wyo., on the one hand, and, on the other, points within 5 miles of Cheyenne, between Cheyenne, Wyo., on the one hand, and, on the other, intercontinental ballistics missile launching sites located in Wyoming within 25 miles of Cheyenne and those located in Laramie, Platte, and Goshen Counties, Wyo., Weld and Larimer Counties, Colo., and Kimball County, Nebr.; telephone, telegraph, and power line equipment, materials, and supplies, between Cheyenne, Wyo., on

the one hand, and, on the other, points within 35 miles of Cheyenne; and household goods, between Cheyenne, Wyo., and points within 5 miles thereof on the one hand, and, on the other, points in Wyoming, Colorado, and Nebraska. Ward A. White, Post Office Box 578, Cheyenne, Wyo., attorney for applicants.

No. MC–FC 67070. By order of September 10, 1964, The Transfer Board approved the substitution of Lead Way Motor Service, Inc., Chicago, Ill., in lieu of Philip Kliman, doing business as Lead-Way Motor Service, Chicago, Ill., as applicant in No. MC 121141 Sub 1 for a Certificate of Registration to operate in interstate or foreign commerce authorizing operations under the second proviso of section 206(a)(1) of the Act supported by Illinois Certificate No. 13427 MC–C authorizing the transportation of books, steel, iron and commodities general within a fifty-mile radius of 1550 Elk Grove Avenue, Chicago, Ill., and to transport such property to or from any point outside of such authorized area of operation for a shipper or shippers within such area. Francis J. Reilly, 33 North La Salle Street, Chicago, Ill., 60602, attorney for applicants.

No. MC–FC 67100. By order of September 9, 1964, The Transfer Board approved the transfer to Philip S. Zanghi, doing business as Red Line Transfer Co., Baltimore, Md., of certificate in No. MC 117845, issued May 7, 1963, to Polaris Transportation, Inc., Clintondale, N.Y., authorizing the transportation of: Bananas, from Baltimore, Md., to Philadelphia, Pa., and Camden and Bridgeton, N.J., and, from ports in the New York, N.Y., commercial zone, to Baltimore, Md., Philadelphia, and Easton, Pa., Trenton, Bridgeton, and Camden, N.J., and Rochester, Jamestown, and Buffalo, N.Y. James J. Doherty, 432 West Pratt Street, Baltimore, Md., 21201, attorney for transferee.

No. MC–FC 67107. By order of September 10, 1964, The Transfer Board approved the transfer to Skyline Deliveries, Inc., Indianapolis, Ind., of Permit No. MC 123036, issued December 5, 1961, to Isler Cartage, Inc., Indianapolis, Ind., authorizing the transportation of Ferrous, nonferrous, and alloy metal bands, bars, expanded metal, extrusions, grating, pipe and tubing, plates, shapes (structual, bar, and unfinished), sheets, strips, wire, and wire mesh (except such commodities as require the use of special equipment by reason of size or weight), over irregular routes, from Indianapolis, Ind., to points in Tippecanoe, Montgomery, Carroll, Cass, Miami, Grant, Blackford, Delaware, Henry, Rush, Decatur, Bartholomew, Monroe, Putnam, Hendricks, Boone, Clinton, Howard, Tipton, Madison, Hancock, Shelby, Johnson, Morgan, and Marion Counties, Ind. Robert C. Smith, 512 Illinois Building, Indianapolis, Ind., 46204, attorney for applicants.

No. MC–FC 67114. By order of September 10, 1964, The Transfer Board approved the transfer to Oertly Bros. Trucking Company, a corporation, Garden Grove, Calif., of the operating rights in Certificate No. MC 88310 and Certificate of Registration No. MC 88310 Sub 3, issued by the Commission, October 30, 1959, and April 17, 1964, respectively, to George C. Oertly and John W. Oertly, doing business as Oertly Bros. Trucking Co., Garden Grove, Calif., authorizing the transportation of: Beans, animal and poultry feed, empty bags, boxes, and cartons, and fertilizer, and commodities of a general commodity nature, between specified points in California. Carl H. Fritze, 1010 Wilshire Boulevard, Los Angeles, Calif., attorney for applicants.

No. MC–FC 67127. By order of September 10, 1964, The Transfer Board approved the transfer to Hercules Trucking Co., Inc., Cranston, R.I., of certificate in No. MC 1431, issued January 29, 1941, to T. W. Waterman Company, Inc., Providence, R.I., authorizing the transportation of: General commodities, excluding household goods, commodities in bulk, and other specified commodities, between points in Rhode Island, on the one hand, and, on the other, points in Connecticut and Massachusetts, and heavy machinery, between Bristol, Cranston and Providence, R.I., on the one hand, and, on the other, New York, N.Y., and Newark, Ampere, and Kenilworth, N.J. Mary E. Kelley, 10 Tremont Street, Boston, Mass., 02108, attorney for applicants.

No. MC–FC 67128. By order of September 9, 1964, The Transfer Board approved the transfer to Anderson Suburban Delivery, Inc., Youngstown, Ohio, of the operating rights issued by the Commission April 1, 1949, under Certificate No. MC 80080, to Carmi G. Preston, doing business as Merchants Delivery Service, New Castle, Pa., authorizing the transportation, over regular route, of general commodities, excluding household goods, and other specified commodities, between New Castle, Pa., and Youngstown, Ohio. David C. Stradley, 50 West Broad Street, Columbus 15, Ohio, attorney for applicants.

No. MC–FC 67146. By order of September 10, 1964, The Transfer Board approved the transfer to John W. Geiselman II, doing business as Hanover Transfer Company, Hanover, Pa., of the operating rights issued by the Commission September 25, 1953, under Certificate No. MC 69389, to Warren F. Carbaugh, doing business as Fritz Transfer, McSherrystown, Pa., authorizing the transportation, over regular routes, of leather heels, lubricating oils in containers, paint, paper, paper bags, candy, and new and antique furniture, between Hanover, Pa., and Baltimore, Md., with service to and from all intermediate points. John M. Cleary, 700 Brawner Building, 888 17th Street NW., Washington, D.C., 20006, attorney for transferee.

No. MC–FC 67179. By order of September 10, 1964, The Transfer Board approved the transfer to Clifton Reliable Movers, Inc., Clifton, N.J., of the operating rights in Certificate No. MC 94840, issued March 9, 1961, to William Ziemkiewicz, Jr., Robert Ziemkiewicz, and Richard Ziemkiewicz, a partnership, doing business as Clifton Reliable Movers, Clifton, N.J., authorizing the transportation, over irregular routes, of household goods, as defined, between Clifton, N.J., and points within 20 miles thereof, on the one hand, and, on the other, points in New York, Connecticut, Pennsylvania, Ohio, Massachusetts, and Rhode Island. John M. Zachara, Post Office Box 2860, Paterson, N.J., 07509, representative for applicants.

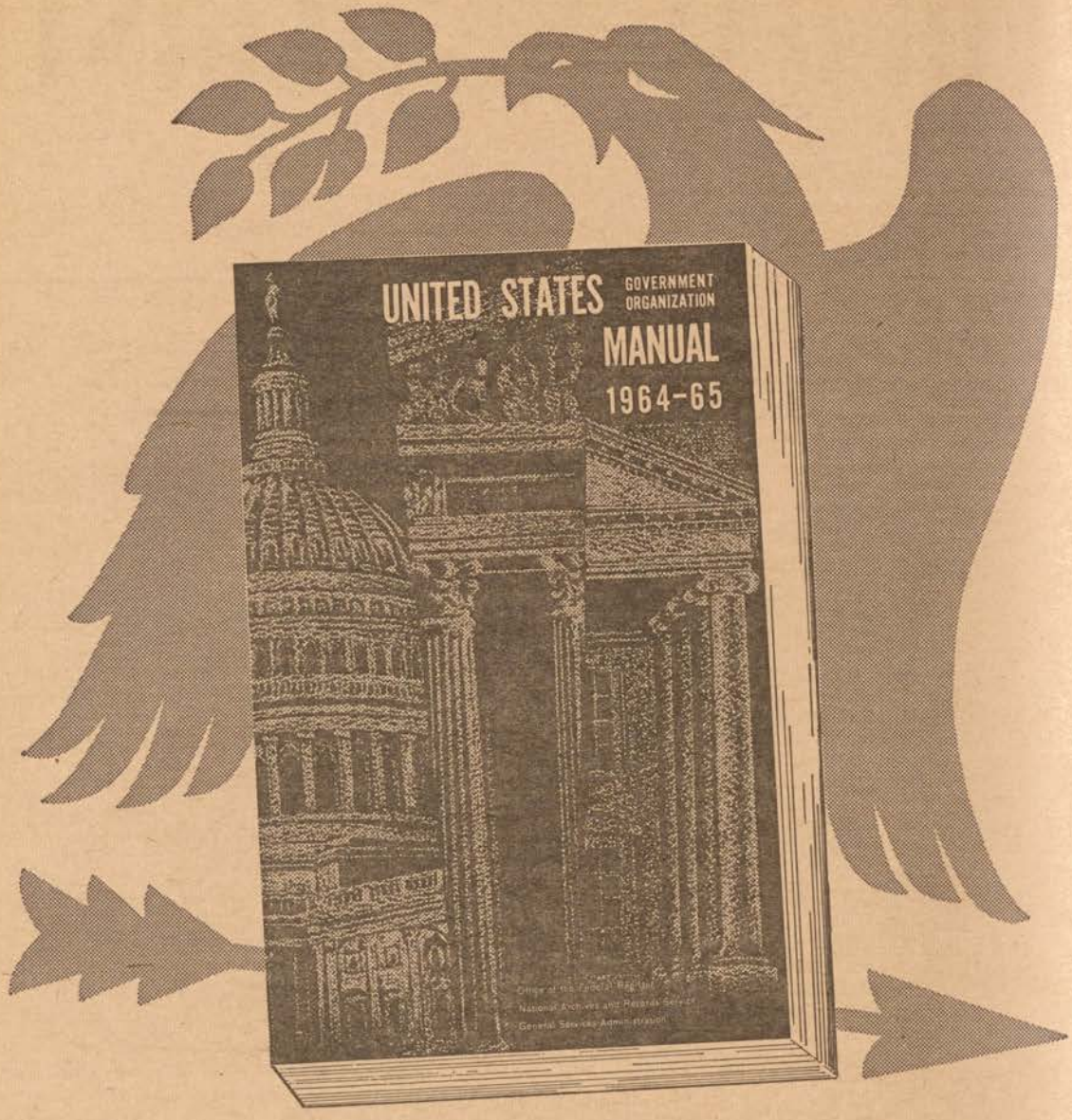
No. MC–FC 67182. By order of September 9, 1964, The Transfer Board approved the transfer to William J. Wassil, Beaver Brook, Pa., of the operating rights in Corrected Certificate No. MC 112472, issued February 25, 1957, to Franklin E. Rudelitch, Lehighton, Pa., authorizing the transportation, over irregular routes, of: Coal, from specified points in Pennsylvania, to named points in New Jersey. Israel T. Klapper, 200 Hazelton National Bank Building, Hazelton, Pa.

[SEAL] HAROLD D. McCOY,
Secretary.

[F.R. Doc. 64–9437; Filed, Sept. 16, 1964; 8:49 a.m.]

CUMULATIVE CODIFICATION GUIDE—SEPTEMBER

The following numerical guide is a list of the parts of each title of the Code of Federal Regulations affected by documents published to date during September.



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